

The Minnesota
**State
Register**

4

RECEIVED

JUN 23 1995

LEGISLATIVE REFERENCE LIBRARY
STATE OFFICE BUILDING
ST. PAUL, MN 55155



Rules and Official Notices edition
Published every Monday (Tuesday when Monday is a holiday)
by the
Minnesota Department of Administration – Print Communications Division

Monday 26 June 1995
Volume 19, Number 52
Pages 2463-2536

Includes
Index to Volume 19

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

Printing Schedule and Submission Deadlines

Vol. 20 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
Vol. 19, #52	Monday 26 June	Monday 12 June	Monday 19 June
# 1	Monday 3 July	Monday 19 June	Monday 26 June
# 2	Monday 10 July	Monday 26 June	Monday 3 July
# 3	Monday 17 July	Monday 3 July	Monday 10 July

Arne H. Carlson, Governor 612/296-3391	Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Growe, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A McGrath, State Treasurer 612/296-7091
Department of Administration:	Print Communications Division:	Robin PanLener, Editor 612/297-7963
Elaine S. Hansen, Commissioner 612/296-1424	Kathi Lynch, Director 612/297-2553	Paul Hoffman, Assistant Editor 612/296-0929
Robert A Schroeder, Asst. Commissioner 612/297-4261	Mary Mikes, Manager 612/297-3979	Debbie George, Circulation Manager 612/296-0931

An "Affidavit of Publication" can be obtained at a cost of \$5.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

To submit notices for publication in the *State Register*, contact the editor listed above. The charge is \$8.00 per column inch (columns are seven inches wide). About 2-1/2 pages typed double spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Submit two copies of your notice, typed double spaced, with a letter on your letterhead stationery requesting publication date. Send to the *State Register* at the address listed below.

SUBSCRIPTION SERVICES:

The *State Register* is published by the State of Minnesota, Department of Administration, Print Communications Division, pursuant to *Minnesota Statutes* § 14.46. The *State Register* is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Education. Single copies cost \$3.50 and are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: 297-3000 Toll free 800-657-3757. Telecommunication Device for the Deaf Metro area: 282-5077 Toll free 800-657-3706. **NO REFUNDS.** Both editions are delivered postpaid to points in the United States, second class postage paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. Publication Number 326630 (ISSN 0146-7751). Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$150.00
- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$125.00 via first class mail, \$140.00 via fax or through our On-Line Service via your computer modem. For a free sample demo of the On-Line Service call via your modem: 612/821-4096. Access item "S": *State Register* Modem parameters 8-N-1 1200/2400. By purchasing the On-Line access you are agreeing to not redistribute without authorization.
- 13-week trial subscription which includes both the *State Register* and *Contracts Supplement*. \$60.00
- Single issues are available for a limited time: *State Register* \$3.50, *Contracts Supplement* 50¢. Add shipping charge of \$3.00 per order.
- "*Commodity Contract Awards Reports*," - lists awards of contracts and bids published in the Tuesday-Wednesday-Friday "*Contracts Supplement*" - published every two weeks, \$5.00 per individual report, plus \$3.00 shipping if applicable. Order stock # 99-42. Six-month subscriptions cost \$75.00. Appears every two weeks. Order stock # 90-14. Available in hard copy format only.
- "*Professional-Technical-Consulting Award Reports*," - published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Individual copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Appears monthly. Order stock number 90-15. Available in hard copy format only.

FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate:

Contact: Senate Public Information Office (612) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions.

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office (612) 296-2146
Room 175 State Office Building, St. Paul, MN 55155

Minnesota Rules: Amendments & Additions		
Vol. 19, issues #1-52 cumulative	2466	
Proposed Rules		
Commerce Department		
Credit involuntary unemployment insurance	2472	
Health Licensing Boards		
Infection control by the Board of Chiropractic Examiners, the Board of Dentistry, the Board of Medical Practice, the Board of Nursing, and the Board of Podiatric Medicine.....	2479	
Adopted Rules		
Agriculture Department		
Fertilizer labeling.....	2485	
Natural Resources Department		
Quarantine facilities for fertilized fish eggs.....	2486	
Errata		
State Register		
Correction to misdated running heads in Monday 19 June 1995 State Register.....	2486	
Official Notices		
State Register		
Correction to misdated running heads in Monday 19 June 1995 State Register.....	2488	
Agriculture Department		
Extension of comment period on proposed amendments to rules for restricted use pesticides	2488	
Minnesota Rural Finance Authority public hearing on agricultural development revenue bonds to construct a dairy barn, purchase heifers and a tractor in Winona County	2488	
Application period for ethanol facility loan applications.....	2489	
Minnesota Comprehensive Health Association		
Meeting of the Underwriting Committee Tuesday 11 July 1995.....	2489	
Dietetics and Nutrition Practice Board		
Comments sought on the development of rules for initial licensure and license renewal.....	2489	
Economic Security Department		
Unemployment insurance quality control annual report for calendar year 1994.....	2490	
Gambling Control Board		
Notice of membership of the public advisory committee to assist the board in promulgation of rules governing gambling managers.....	2490	
Notice of membership of the public advisory committee to assist the board in the promulgation of rules governing bingo.....	2490	
Opinion sought on rules for gambling managers	2491	
Information sought on rules for bingo	2492	
Health Department		
Amended notice seeking information or opinion on rules for supervised living facilities.....	2493	
Amended notice seeking information or opinion on rules for the operation of nursing homes and boarding care homes, and the physical plant of nursing homes and boarding care homes	2494	
Human Services Department		
Public notice regarding changes in the medical assistance (MA) program, the general assistance medical care program (GAMC), and the MinnesotaCare program.....	2495	
Amended notice seeking information or opinions on rules for chemical dependency care for public assistance recipients	2495	
Information or opinions sought on rules for protective services for children	2506	
Labor and Industry Department		
Correction to prevailing wage rates.....	2507	
Prevailing wage certifications for commercial construction projects.....	2507	
Public Safety Department		
Amended notice seeking information or opinions on rules for deputy registrars	2508	
Amended notice seeking information or opinions on rules for vision requirements for driver's license applicants	2508	
Trade and Economic Development Department		
Minnesota Agricultural and Economic Development Board public hearing on the issuing of revenue bonds to finance a project on behalf of New Morning Windows, Inc, Lakeville, MN.....	2509	
State Grants		
Health Department		
Funds available for statewide educational services to first responders/emergency medical technicians in pediatric emergency medical services ..	2510	
Housing Finance Agency		
Funds available for: affordable rental investment fund	2510	
community housing development organization operating expense payment program.....	2512	
housing opportunities for persons with AIDS program	2512	
housing trust fund program	2514	
Minnesota rural and urban homesteading program.....	2515	
publicly owned neighborhood land trust program.....	2516	
targeted home program.....	2517	
transitional housing program.....	2518	
Public Safety Department		
Funds available for multi-jurisdictional narcotics enforcement task forces	2520	
Professional, Technical & Consulting Contracts		
Corrections Department		
Shakopee Correctional Facility seeks: dental hygiene services	2520	
dentist services	2521	
psychiatric services	2521	
Economic Security Department		
Proposed contracts for federal fiscal year 1996 and request for qualifications and proposals for mobile/onsite medical examination services.....	2521	
Environmental Assistance Office		
Proposals sought for contracted assistance for the Reuse and Recycling Business Assistance Center program.....	2522	
Health Department		
Proposals sought for conference planner	2523	
Human Services Department		
Medical services - neurological, optometry, family practice and psycho- logical - sought for Anoka Metro Regional Treatment Center.....	2523	
Public Safety Department		
Proposals sought for Minnesota Passenger Protection Program.....	2524	
Revisor of Statutes Office		
Proposals sought for computer services.....	2524	
Non-State Public Bids, Contracts and Grants		
Minnesota Historical Society		
Proposals sought for cultural resource survey and planning work.....	2525	
INDEX to Volume 19		
Subject matter index to rules and notices involved in the rulemaking process, executive orders, commissioners' orders and revenue notices	2526	
State Contracts, RFPs & Advertised Bids		
Commodities and requisitions are advertised in the <i>State Register Contracts Supplement</i> , published every Tuesday, Wednesday and Friday. "Commodity Contract Awards Reports" are published every two weeks, and "Professional-Technical-Consulting Contract Awards Reports" are published monthly. Both are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757. For subscription information call 612/296-0931. Individual awards can be obtained from the Materials Management Helpline 612/296-2600.		

Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

Volume 19 - Cumulative Index

Accountancy Board

1100.0100; .0600; .0650; .0700; .1000; .1100; .1200; .1300; .1500; .1900; .2110; .2115; .2120; .2150 .2200; .2500; .3200; .3250; .3300; .3400; .3550; .3600; .4000; .4100; .4200; .4300; .4400; .4500; .4650; .4700; .4800; .4900; .5100; .5800; .5850; .6100; .6400; .6500; .6700; .6800 (proposed).....	909
1100.0100 s.5; .1500 s.1; .1600; .1902; .1905; .2000; .2100; .2300; .2600; .2700; .2750; .2800; .3000; .3100; .3500; .4200 s.2; .5000 (proposed repealer).....	909
1100.0100; .0600; .0650; .0700; .1000; .1100; .1200; .1300; .1500; .1900; .2110; .2115; .2120; .2150; .2200; .2500; .3200; .3250; .3300; .3400; .3550; .3600; .4000; .4100; .4200; .4300; .4400; .4500; .4650; .4700; .4800; .4900; .5100; .5800; .5850; .6100; .6400; .6500; .6700; .6800 (adopted) .	1732
1100.0100 s.5; .1500 s.1; .1600; .1902; .1905; .2000; .2100; .2300; .2600; .2700; .2750; .2800; .3000; .3100; .3500; .4200 s.2; .5000 (repealed).....	1732
1100.9100-9900 (adopted).....	74

Administration Department

1215.1400 (proposed).....	2113
1300.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .0940; .0942; .0944; .0946; .0948; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2900 s.1; 1305.0100; .0150; .0200; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1350; .1370; .1400; .1500; .1590; .1600; .1700; .1750; .1775; .1795; .1800; .1900; .2000; .2050; .2200; .2300; .2500; .2600; .2700; .2800; .2900; .3400; .3800; .3860; .3900; .4100; .4600; .4700; .4800; .4850; .5100; .5200; .5320; .5340; .5360; .5380; .5385; .5400; .5700; .5710; .5720; .5730; .5740; .5750; .5900; .6000; .6200; .6250; .6280; .6300; .6425; .6430; .6525; .6700; .6800; .6901; .6902; .6905; .6910; .6920; 1307.6821; 1355.0100 (proposed repealer).....	514
1300.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .0940; .0942; .0944; .0946; .0948; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2900 s.1; 1305.0100; .0150; .0200; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1350; .1370; .1400; .1500;	

.1590; .1600; .1700; .1750; .1775; .1795; .1800; .1900; .2000; .2050; .2200; .2300; .2500; .2600; .2700; .2800; .2900; .3400; .3800; .3860; .3900; .4100; .4600; .4700; .4800; .4850; .5100; .5200; .5320; .5340; .5360; .5380; .5385; .5400; .5700; .5710; .5720; .5730; .5740; .5750; .5900; .6000; .6200; .6250; .6280; .6300; .6425; .6430; .6525; .6700; .6800; .6901; .6902; .6905; .6910; .6920; 1307.6821; 1355.0100 (adopted).....	1340
1300.2050; .2100; .2400; .2600; .2700; .2800; .2900; .3900; .4100; .4300; .4500; .4700; .4900; .5100; .5300; .5500; .5700; .5900; 1305.0010; .0020; .0102; .0103; .0105; .0106; .0107; .0108; .0109; .0301; .0308; .0405; .1019; .1101; .1202; .1506; .1614; .1616; .1623; .1704; .1907; .1918; .1928; .2109; .2326; .3001; .4313; .4332; .4429; .7100; 1306.0100; 1365.0050; .0100; .0200; .0300 (proposed).....	514
1300.2050; .2100; .2400; .2600; .2700; .2800; .2900; .3900; .4100; .4300; .4500; .4700; .4900; .5100; .5300; .5500; .5700; .5900; 1305.0010; .0020; .0102; .0103; .0105; .0106; .0107; .0108; .0109; .0301; .0308; .0405; .1019; .1101; .1202; .1506; .1614; .1616; .1623; .1704; .1907; .1918; .1928; .2109; .2326; .3001; .4313; .4332; .4429; .7100; 1306.0100; 1365.0050; .0100; .0200; .0300 (adopted).....	1340
1300.6100 (proposed).....	1246
1300.6100 (adopted).....	1735
1301.0200; .0300; .0400; .0700; .0900; .1000; .1100; .1200 (adopted).....	75
1301.0200 s.2,4 (repealed).....	75
1302.0100; .0200; .0400; .0500; .0600; .0700; .0850; .0950 (proposed).....	1246
1302.0100; .0200; .0500; .0600; .0700; .0850; .0950 (adopted).....	1735
1302.0300; .0500 s.2,3; .0800; .0900 (proposed repealer).....	1246
1302.0300; .0500 s.2,3; .0800; .0900 (repealed).....	1735
1340.0100-.1280 (proposed).....	2289
1340.0200-.0900; .1100-.1900; .9000-.9900 (proposed repealer).....	2289
1346.0050; .0108; .0302; .0406; .0411; .0424; .0707; .0710; .0808; .0809; .0913; .1002; .1004; .1104; .1107; .1207; .1503; .1505; .1520; .1521; .1906; .2002; .2003; .2104; .2107; .2133; .2212; .2213; .2500; .2600 (adopted).....	1306
1346.0050; .0108; .0406; .0411; .0424; .0707; .0710; .0808; .0809; .0913; .1002; .1004; .1104; .1107; .1207; .1503; .1505; .1520; .1521; .1906; .2002; .2003; .2104; .2107;	

Minnesota Rules: Amendments and Additions

.2133; .2212; .2213; .2500; .2600 (proposed).....	133	1705.2400 s.7; .2434 s.3; .2450 s.3; .2460 s.9; .2470 s.2a; .2472 s.3; .2490; .2510 (repealed).....	925
1346.0403; .0706; .0906 (proposed repealer).....	133		
1346.0403; .0706; .0906 (repealed).....	1306		
1350.0100; .0250; .0300; .0400; .0500; .0600; .0700; .0900; .1000; .1100; .1400; .2100; .2400; .2500; .2700; .2801; .3400; .3500; .6500; .6600; .6700; .6800; .8300; .8600 (proposed).....	1246		
1350.0100 s.2,5,6,7,13,18,24,27,28,30,35,45,52,55,57,58,59; .2600; .2700 s.5,6,7; .2800; .2900; .3000; .3100; .3200; .3300; .3600; .3700; .5800 (proposed repealer).....	1246		
1350.0100; .0250; .0300; .0400; .0500; .0600; .0700; .0900; .1000; .1100; .1400; .2100; .2400; .2500; .2700; .2801; .3400; .3500; .6500; .6600; .6700; .6800; .8300; .8600 (proposed withdrawn).....	1737		
1350.0100 s.2,5,6,7,13,18,24,27,28,30,35,45,52,55,57,58,59; .2600; .2700 s.5,6,7; .2800; .2900; .3000; .3100; .3200; .3300; .3600; .3700; .5800 (proposed repealer withdrawn).....	1737		
1360.0100; .0200; .0300; .0400; .0800; .0900; .1300; .1500; .1600; .1800; .1900; .2000; .2500; .2600; .2700; .2800; .3600 (withdrawn proposed).....	551		
1360.0100 s.1; .0200 s.3,4,9,10,11,17,18; .0600; .0900 s.2,3,5,6; .1700; .1900 s.2; .2100; .2200; .2300; .2900; .2910; .3000; .3100 s.1,2; .3200; .3300; .3400; .3500; .3600 s.2 (withdrawn proposed repealer).....	551		
1361.0100-.0500 (withdrawn proposed).....	551		
Agriculture Department			
1505.0751; .0752; .0754; .0756; .0758 (proposed).....	544		
1505.0751; .0752 .0754; .0756; .0758 (withdrawn).....	1163		
1505.0751-.0758 (proposed).....	1259		
1505.0980; .1100 (proposed).....	2267		
1505.4000-.4130 (proposed).....	1758		
1510.0410; .0411; .0412; .0413; .0414; .0416; .0417; .0419; .0420; .0421; .0422 (proposed).....	1692		
1510.0410; .0411; .0412; .0413; .0414; .0416 .0417; .0419; .0420; .0422 (adopted).....	2486		
1510.0415; .0416 s.4,5,7,8; .0418 (proposed repealer).....	1692		
1510.0420 renumbered to 1510.0421.....	2486		
1510.0415; .0416 s.4,5,7,8; .0418 (repealed).....	2486		
1510.0430; .0431; .0432; .0433; .0434 (proposed).....	1764		
1510.0432 s.2,3 (proposed repealer).....	1764		
1510.0430;.0431; .0432; .0433; .0434 (adopted).....	2269		
1510.0432 s.2,3 (repealed).....	2269		
1512.0010-.0085 (adopted).....	218		
1520.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .6500; 1550.3200 (adopted).....	75		
1520.0100; .0200 s.2,3,5-15; .2100-.5100; .7300 (repealed).....	75		
1558.0010-.0090 (proposed).....	679		
1558.0010-.0090 (withdrawn).....	1311		
1558.0010-.0090 (proposed).....	1481		
1655.0010-.1000 (adopted exempt rules).....	340		
1656.0010-.0090 (adopted exempt rule).....	883		
Animal Health Board			
1700.2590; .2650; .2800; .2850; .2900; .2950; .3010; 1705.2400; .2430; .2434; .2440; .2450; .2460; .2470; .2472; .2474; .2476; .2480; .2482; .2500; 1715.0105; .0550; .0705; .1450 (proposed)...	246		
1700.2590; .2650; .2800; .2850; .2900; .2950; .3010; 1705.2400; .2430; .2434; .2440; .2450; .2460; .2470; .2472; .2474; .2476; .2480; .2482; .2500; 1715.0105; .0550; .0705; .1450 (adopted).....	925		
1705.2400 s.7; .2434 s.3; .2450 s.3; .2460 s.9; .2470 s.2a; .2472 s.3; .2490; .2510 (proposed repealer).....	246		
Chiropractic Examiners Board			
2500.0100; .0600 (proposed).....	2065		
2500.0500; .0510; .0550; .0700; .0730; .0750; .1150; .1420; .2050; .2100; .2110; .2500; .2530 (adopted).....	734		
2500.0550 (proposed).....	109		
2500.0550; (adopted).....	2139		
Commerce Department			
2642.0380 (proposed).....	2161		
2675.0901; .2170; .2620 (proposed).....	1896		
2700.2460; .2470; .2480 (proposed).....	950		
2700.2460; .2470; .2480 (adopted).....	1581		
2761.0100-.1200 (proposed).....	2473		
2767.0600 (proposed).....	952		
2767.0600 (adopted).....	2004		
2820.4030; .4035; .4040; .4702; .6701; .6801; .8500; .8600 (adopted).....	689		
2820.4701; .6700; .6800 (repealed).....	689		
Petroleum Tank Release Compensation Board			
2890.0010; .0070; .0071; .0072; .0073; .0074; .0075; .0076; .0077; .0078; .0079; .0080; .0081; .0082; .0083; .0084; .0085; .0086; .0089; .0090 (proposed).....	1265		
2890.0075; .0080; .0095 (proposed repealer).....	1265		
Dentistry Board			
3100.0100; .1150; .1160; .1300; .1700; .1750; .2000; .3600; .4100; .4200; .4300; .4400; .4500; .8500; .8700 (withdrawn).....	2332		
3100.0100; .2000; .4100; .4200; .4300; .4400; .4500 (proposed).....	2200		
3100.0100; .1150; .1160; .1700; .1750; .2000 (proposed).....	265		
3100.0100; .2000; .4100; .4200; .4300; .4400; .4500 (proposed).....	260		
3100.1300; .8500; .8700 (proposed).....	269		
3100.1300; .8500; .8700 (proposed).....	2205		
3100.3600; .8700 (proposed).....	2197		
3100.4300 s.5,6; .4500 s.1; .4600 (proposed repealer).....	260		
3100.4300 s.5,6; .4500 s.1; .4600 (proposed repealer).....	2200		
3100.4300 s.5,6; .4500 s.1; .4600 (repealer withdrawn).....	2332		
Dietetics and Nutrition Practice Board			
3250.0010-.0050 (proposed).....	2326		
Economic Security Department			
3300.2050; .2250; .2350; .2450; .2550; .2650; .2750; .2850; .2950; .3050 (adopted).....	639		
3300.2050 s.3,19,22,22a,27,33,34; .2250 s.4; .2350 s.4; .2450 s.1; .2550 s.5 (repealed).....	639		
3300.5010; .5040; .5060 (proposed emergency).....	76		
3300.5010; .5040; .5050; .5060 (proposed).....	1767		
3300.5010 s.38; .5060 s.4,6,8,10 (proposed repealer).....	1767		
3315.0210 (proposed).....	1264		
Education Department			
3500.1000; 3525.0200; .0300; .0400; .0700; .0750; .0800; .0850; .1100; .1150; .1310; .1348; .1352; .1356; .1400; .1510; .1550; .2325; .2335; .2340; .2350; .2380; .2405; .2415; .2420; .2470; .2550; .2750; .2900; .3100; .3150; .3200; .3300; .3500; .3600; .3700; .3800; .3900; .4100; .4200; .4300; .4400 (proposed).....	857		
3500.1000; 3525.0200; .0300; .0400; .0700; .0750; .0800; .0850; .1100; .1150; .1310; .1348; .1352; .1356; .1400; .1510; .1550; .2325; .2335; .2340; .2350; .2380; .2405; .2415; .2420; .2470; .2550; .2750; .2900; .3100; .3150; .3200; .3300; .3500; .3600; .3700; .3800; .3900; .4100; .4200; .4300; .4400 (proposed errata).....	1163		

Minnesota Rules: Amendments and Additions

3500.1000; 3525.0200; .0300; .0400; .0700; .0750; .0800; .0850; .1100; .1150; .1310; .1348; .1350; .1352; .1354; .1356; .1400; .1510; .1550; .2325; .2335; .2340; .2350; .2380; .2405; .2415; .2420; .2470; .2550; .2750; .2900; .3100; .3150; .3200; .3300; .3500; .3600; .3700; .3800; .3900; .4100; .4200; .4300; .4400 (adopted).....	2432 and 2486
3525.0200 s.8b,9b, and 18b; .0650; .1200; .1320; .1500; .2300; .2330; .2335 s.1,3,4 and 5; .2340 s.1,2, and 3; .2345; .2350 s.5; .2380 s.3; .2405 s.4; .2410; .2415; .2430; .2500; .2925; .2950 (repealed).....	2432 and 2486
Public Safety Department	
3520.2400; .2500; .2600; .2850; .3000; .3100; .3300 (proposed repealer).....	2362
3525.0200 s.8b,9b,18b; .0650; .1200; .1320; .1500; .2300; .2330 .2335 s.1,3,4,5; .2340 s.1,2,3; .2345; .2350 s.5; .2380 s.3; .2405 s.4; .2410; .2430; .2500; .2925; .2950 (proposed repealer).....	857
3525.0200 s.8b,9b,18b; .0650; .1200; .1320; .1500; .2300; .2330; .2335 s.1,3,4,5; .2340 s.1,2,3; .2345; .2350 s.5; .2380 s.3; .2405 s.4; .2410; .2430; .2500; .2925; .2950 (proposed repealer errata).....	1163
3525.0200; .2900 (proposed).....	5
3525.0200; .2900 (adopted).....	974
Electricity Board	
3800.3600-.3603 (proposed).....	1539
3800.3600-3603 (adopted).....	2221
Trade & Economic Development Department	
4308.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0090 (adopted).....	887
4308.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090 (proposed).....	214
4309.1000 (proposed).....	114
4309.1000 (adopted).....	765
4355.0100-.0500 (adopted).....	284
Environmental Quality Board	
4410.0200; .0400; .0500; .1200; .1300; .1400; .1700; .2100; .2300; .2400; .2800; .3100; .4000; .4300; .4400; .4600; .5200; .6100; .6200; .6410; .6500 (proposed).....	2067
4410.0200 s.19,20,21,31,83; .3200 s.3; .6300; .6400; .6500 s.2-5, 7 (proposed repealer).....	2067
Health Department	
4605.7000; .7010; .7020; .7030; .7040; .7050; .7060; .7080; . .7090; .7700; .7800 (proposed).....	2356
4605.7600; .7701-.7715 (proposed repealer).....	2356
4617.0002; .0020; .0025; .0030; .0043; .0044; .0045; .0049; .0050; .0056; .0058; .0171; .0172; .0173; .0174 (proposed).....	1607
4617.0002; .0020; .0025; .0043; .0044; .0045; .0049; .0050; .0056; .0058; .0171; .0172; .0173; .0174 (adopted).....	2089
4617.0002 s.11; .0046; .0047; .0170; .0175; .0180 (proposed repealer).....	1607
4617.0002 s.11; .0046; .0047; .0170; .0175; .0180 (repealed).....	2089
4620.0050; .0300; .0500; .0600; .0700; .0750; .0950; .0975; .1000; .1025; .1200; .1400; .1425 (adopted).....	1128
4620.0100 s.3,6, and 7; .0200; .0800; .0900 (repealed).....	1128
4625.2100; 4717.0150; .0250; .0275; .0310; .0375; .0450; .0650; .0750; .0775; .0950; .1050; .1250; .1350; .1450; .1550; .1575; .1650; .1750; .1850; .1950; .2150; .2250; .2350; .2450; .2550; .2560; .2570; .2580; .2590; .2595; .2610; .2620; .2630; .2650; .2750; .2850; .3050; .3150; .3250; .3350; .3450; .3475; .3550; .3650; .3675; .3850; .3870; .3875; .3950; .3970; .3975; .7000 (proposed).....	384
4625.2100; 4717.0150; .0250; .0275; .0310; .0375; .0450; .0650; .0650; .0750; .0775; .0950; .1050; .1250; .1350; .1450; .1550; .1575; .1650; .1750; .1850; .1950; .2150; .2250; .2350; .2450; .2550; .2560; .2570; .2580; .2590; .2595; .2610; .2620; .2630; .2650; .2750; .2850; .3050; .3150; .3250; .3350; .3450; .3475; .3550; .3650; .3675; .3850; .3870; .3875; .3950; .3970; .3975; .7000 (adopted).....	1419
4625.2100; 4717.0150; .0250; .0275; .0310; .0375; .0450; .0650; .0750; .0775; .0950; .1050; .1250; .1350; .1450; .1550; .1575; .1650; .1750; .1850; .1950; .2150; .2250; .2350; .2450; .2550; .2560; .2570; .2580; .2590; .2595; .2610; .2620; .2630; .2650; .2750; .2850; .3050; .3150; .3250; .3350; .3450; .3475; .3550; .3650; .3675; .3850; .3870; .3875; .3950; .3970; .3975; .7000 (errata).....	1637
4650.0102; .0104; .0108; .0110; .0111; .0112; .0114; .0130; .0132; .0133; .0134; .0136; .0150; .0156; .0160; .0166; .0168; .0170; .0172; .0174 (proposed).....	370
4650.0102 s.5,7,8,11,12,16,20,21,23,27,28,32,33,34; .0112 s.4; .0116; .0118; .0120; .0122; .0150 s.4; .0152; .0176 (proposed repealer).....	370
4650.0102; .0104; .0108; .0110; .0111; .0112; .0114; .0130; .0132; .0133; .0134; .0136; .0150; .0156; .0160; .0166; .0168; .0170; .0172; .0174 (adopted).....	1419
4650.0102 s.5,7,8,11,12,16,20,21,23,27,28,32,33,34; .0112 s.4; .0116; .0118; .0120; .0122; .0150 s.4; .0152; .0176 (repealed).....	1419
4651.0100-.0140 (proposed).....	310
4651.0100; .0110; .0120; .0130; .0140 (adopted).....	1581
4652.0010-.0130 (proposed).....	316
4652.0010-.0130 (adopted).....	1515
4653.0100; .0100; .0120; .0130; .0140; .0150; .0160; .0170 - all emergency rules - (proposed repealer).....	835
4653.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170 - all emergency rules - (repealed).....	1582
4655.0090; 4658.0600; .0605; .0615; .0620; .0625; .0630; .0635; .0640; .0645; .0650; .0655; .0660; .0665; .0670; .0675; .0680; .0685 (adopted).....	1803
4655.1070; .1074; .1076; .1078; .1080; .1082; .1084; .1086; .1088; .1090; .1092; .1094; .1096; .1098 (proposed).....	2300
4655.2410; .2420; .3900; .4900; .5600; .5700; .5800; .5900; .6000; .6100; .6200; .6800; .7600; .7700; .7710; .7720; .7730; .7740; .7750; .7760; .7770; .7780; .7790; .8100; .9400; .9500; .9600; .9700; .9800; .9900 (proposed repealer).....	785
4655.9200; .9300; .9324; .9326; .9327; .9328; .9329; .9331; .9332; 4658.0010; .0020; .0025; .0030; .0035; .0045; .0050; .0055; .0060; .0065; .0070; .0075; .0080; .0085; .0090; .0095; .0100; .0105; .0110; .0115; .0120; .0125; .0130; .0135; .0140; .0145; .0150; .0155; .0190; .0300; .0350; .0400; .0405; .0420; .0430; .0435; .0440; .0445; .0450; .0455; .0460; .0465; .0470; .0475; .0490; .0500; .0505; .0510; .0515; .0520; .0525; .0530; .0580; .0700; .0705; .0710; .0715; .0720; .0725; .0730; .0750; .0800; .0805; .0810; .0815; .0820; .0850; .1300; .1305; .1310; .1315; .1320; .1325; .1330; .1335; .1340; .1345; .1350; .1355; .1360; .1365; 4660.1700; .5030; 9050.0040; .0210; .1030; .1070; .0390 (proposed).....	785
4670.1320; .4210; .4220; .4230; .4240 (proposed).....	1394
4670.1320; .4210; .4220; .4230 (adopted).....	2090
Plumbing Code	
4715.0420; .0510; .0800; .0805; .0810; .0870; .1020; .1100; .1110; .1120; .1160; .1210; .1240; .1260; .1300; .1330; .1380; .1440; .1510; .1590; .1710; .2000; .2030; .2100; .2110; .2120; .2150; .2161; .2215; .2280; .2300; .2440; .2820; .3700 (adopted).....	590
4715.1215; .1300 s.5; .1590 s.5 (repealed).....	590

Minnesota Rules: Amendments and Additions

Health Risks

4717.0100; .0200; .0300; .0350; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900 (proposed repealer).....	384
4717.0100; .0200; .0300; .0350; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700; .3800; .3900 (repealed).....	1419
4717.7150; .7200; .7500; .7650; .7800 (proposed).....	271
4717.7150 s.5 (proposed repealer).....	271
4717.7150; .7200; .7500; .7650; .7800 (adopted).....	1191
4717.7150 s.5 (repealed).....	1191

Higher Education Coordinating Board

4815.0100-.0160 (proposed).....	623
4815.0100-.0160 (adopted).....	1636
4830.0100 (proposed).....	152
4830.0100 (adopted).....	1491
4830.7100; .7200; .7300; .7400; .7500; .7600; .7710; .7720; .7800; .7900 (emergency proposed).....	285
4830.7100; .7200; .7300; .7400; .7500; .7710; .7720; .7800; .7900 (proposed).....	579
4830.7100; .7200; .7300; .7400; .7500; .7710; .7720; .7800; .7900 (adopted).....	1636
4830.7100 s.3.4; .7400 s.8; .7500 s.1.3; .7700; .7720 s.2 (emergency proposed repealer).....	285
4830.7100 s.3.4; .7400 s.8; .7500 s.1.3; .7600; .7700; .7720 s.2 (proposed repealer).....	579
4830.7100 s.3.4; .7400 s.8; .7500 s.1.3; .7600; .7700; .7720 s.2 (repealed).....	1636
4890.0100-.0900 (proposed).....	1441

Housing Finance Agency

4900.0010 (proposed).....	1304
4900.1331; .1345; .1375; (proposed).....	2412 and 2486
4900.1315 s.7 and 10; .1345 s.1 (proposed repealer).....	2412 and 2486
4900.2005 (adopted).....	157
4900.3500-.3550 (proposed).....	278
4900.3500.3550 (adopted).....	1150

Indian Affairs Council

5100.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900 (adopted).....	974
---	-----

Labor & Industry Department

5200.1100 (adopted).....	482
5200.1100 (proposed).....	1998
5205.0010 (proposed).....	280
5205.0010 (adopted).....	187
5205.0010 (proposed).....	881
5205.0010 (adopted).....	887
5205.0010 (adopted).....	1459
5205.0010 (proposed).....	1489
5205.0010 (adopted).....	1900
5205.0010 (proposed).....	2031
5210.0680 (proposed).....	186
5210.0680 (adopted).....	1150
5221.6010-.8900 (adopted).....	1412
5225.0010; .0050; .0090; .0100; .0300; .0400; .0410; .0500; .0550; .0600; .0700; .0880; .0900; .1000; .1110; .1140; .1180; .1200; .1225; .1300; .1350; .1400; .2050; .2100; .2200; .2300; .2400; .2600; .2610; .2700; .3000; .3100; .3150; .3200; .4000; .4100;	

.4200; .4300; .4400; .4700; .4800; .4900; .5000; .5100; .5200; .6050; .6140; .6150; .6160; .6700; .6940; .8600; .8700 (adopted).....	591
5225.1100; .1200 s.2; .3400; .3500; .9000 (repealed).....	591

Medical Practice Board

5600.2500 (adopted).....	765
5605.0100; .0300; .0700; .0900 (proposed).....	110
5605.0100; .0300; .0700 (adopted).....	974
5605.0400; .0500; .0600 (proposed repealer).....	110
5605.0400; .0500; .0600 (repealed).....	974
5606.0200; .0500; .0600 (proposed).....	113
5606.0200; .0500; .0600 (adopted).....	974

Natural Resources Department

6105.0330 (proposed).....	2210
6110.1200 (proposed).....	2207
6125.0100; .0400; .0410; .0420; .0500; .0600; .0610; .0620; .0700 (proposed).....	1615
6125.0100; .0400; .0410; .0420; .0500; .0600; .0610; .0620; .0700 (adopted).....	2434 and 2486
6125.0300; .1000-.4100 (proposed repealer).....	1615
6125.0300; .1000-.4100 (repealed).....	2434
6125.4500-.5700 (proposed repealer).....	953
6125.4500-.5700 (repealed).....	2433 and 2486
6125.8000-.8700 (proposed).....	953
6125.8000-.8700 (adopted).....	2433 and 2486
6200.0200; 6210.0100; 6212.1750; .1800; .2900; .3000; 6214.0500; 6230.0200; .0400; .0900; .1300; 6232.0100; .0200; .0300; .0700; .0800; .1200; .1250; .1300; .1800; .1950; .2000; .2100; .2450; .2500; .2900; .3000; .3700; .3800; .4000; .4700; 6234.0200; .0400; .2600; .3000; .3100; .3400; 6236.0100; .0900; 6240.0200; .0550; .0850; .0860; .0900; .1700; .1950; 6242.0200; .0500; .0900; .1000; .1200; 6252.0500; 6254.0200; .0500; .0510; 6262.0100; .0200; .0300; .0500; 6266.0100; .0300; .0400; .0500 (proposed).....	1702
6200.0200; 6210.0100; 6212.1750; .1800; .2900; .3000; 6214.0500; 6230.0200; .0400; .0900; .1300; 6232.0100; .0200; .0300; .0700; .0800; .1200; .1250; .1300; .1800; .1950; .2000; .2100; .2450; .2500; .2900; .3000; .3700; .3800; .4000; .4700; 6234.0200; .0400; .2600; .3000; .3100; .3400; 6236.0100; .0900; 6240.0200; .0550; .0850; .0860; .0900; .1700; .1950; 6242.0200; .0500; .0900; .1000; .1200; 6252.0500; 6254.0200; .0500; .0510; 6262.0100; .0200; .0300; .0500; 6266.0100; .0300; .0400; .0500 (adopted).....	2222
6214.0200; .0400; 6230.0200; .0400; .0500; .0600; .0700; .0800; .1000; .1100; 6232.0100; .0200; .0300; .0900; .1000; .1600; .1900; .2450; .2550; .3600; .3700; .3800; .3900; .4000; .4100; .4700; 6234.0100; .0200; .0300; .0400; .0500; .1100; .1200; .1300; .1400; .1600; .1700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; 6236.0100; .0600; .0700; .0800; .0900; .0950; .1000; 6240.0200; .1200; .1500; .1600; .1700; .1800; .1850; 6242.0500; .0600; .0800; .1100; .1200; 6252.0100; .0300; .0350; .0600; .0900; .1000; 6254.0100; .0400; .0500; .0600; 6256.0100; .0200; .0300; .0400; 6260.2500; .2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; 6262.0100; .0300 (proposed).....	6
6214.0200; .0400; 6230.0200; .0400; .0500; .0600; .0700; .0800; .1000; .1100; 6232.0100; .0200; .0300; .0900; .1000; .1600; .1900; .2450; .2550; .3600; .3700; .3800; .3900; .4000; .4100; .4700; 6234.0100; .0200; .0300; .0400; .0500; .1100; .1200; .1300; .1400; .1600; .1700; .2800; .2900; .3000; .3100; .3200; .2900; .3000; .3100; .3200; .3300; .3400; 6236.0100; .0600; .0700; .0800; .0900; .0950; .1000; .0950; .1000; 6240.0200; .1200; .1500; .1600; .1700; .1800; .1850; 6242.0500; .0600; .0800; .1100; .1200; 6252.0100;	

Minnesota Rules: Amendments and Additions

.0300; .0350; .0600; .0900; .1000; 6254.0100; .0400; .0500; .0600; 6256.0100; .0200; .0300; .0400; 6260.2500; 2700; .2800; .2900; .3000; .3100; .3200; .3300; .3400; 6262.0100; .0300 (adopted).....	484	7100.0340; 7105.0110 (adopted).....	1310
6230.0200; .0600; .0700; .0850; .0860; .0900; .1000; .1140; .1150; .1160; .1850; .1900 (adopted expedited emergency).....	701	7000.0100 s.6; .0500 s.3-7, 11-12, 14-15; .1000 s.2,3,5,6,8,9; .1500; .1600 (proposed repealer).....	323
6230.0400 (adopted expedited emergency).....	595	7000.0100 s.6; .0500 s.3-7, 11-12, 14-15; .1000 s.2,3,5,6,8,9; .1500; .1600 (repealed).....	1310
6232.0200; .0300; .0700; .0800; .1200; .1250; .1300; .1600; .1750; .1800; .1950; .2000; .2100; .2450; .2500; .4700 (adopted expedited emergency).....	644	7001.0010; 7045.0020; .0450; .0485; .0545; .0546; .0552 (proposed).....	2215
6232.0900; 6240.1600; .1700; .1850 (adopted expedited emergency).....	454	7001.0560; .0650; 7035.2535; 7045.0020; .0065; .0120; .0121; .0125; .0131; .0135; .0143; .0145; .0206; .0208; .0221; .0225; .0230; .0240; .0243; .0248; .0292; .0310; .0320; .0450; .0454; .0456; .0478; .0518; .0528; .0541; .0552; .0556; .0558; .0562; .0584; .0594; .0610; .0620; .0628; .0629; .0644; .0665; .0692; .0790; .0795; .0800; .0805; .0810; .0815; .0820; .0825; .0830; .0835; .0840; .0845; .0855; .0865; .0875; .0885; .0895; .1300; .1339 (proposed).....	1542
6232.3000; .3055 (adopted expedited emergency).....	2115	7001.1020; .1030; .1035; .1040; 7002.0220; .0270; .0310 (proposed).....	969
6232.3600; .3700; .3800; .3855; .4000; .4100 (adopted expedited emergency).....	158	7001.1020; .1030; .1035; .1040; 7002.0220; .0270; .0310 (adopted).....	1901
6232.3855; .4100 (adopted expedited emergency).....	2435 and 2486	7001.3050; 7035.0300; .2525; .2845; .2585 (proposed).....	1124
6234.0200; .0400 (adopted expedited emergency).....	1228	7001.3050; 7035.0300; .2525; .2845; .2585 (adopted).....	2330
6234.1300 s.3; 6262.0500 s.3 (proposed repealer).....	1702	7007.0100; .0150; .0200; .0250; .0300; .0350; .0400; .0500; .0750; .1050; .1110; .1115; .1120; .1125; .1130; .1150; .1200; .1250; .1300; .1450; 7011.0060; .0061; .0065; .0070; .0075; .0080 (proposed).....	44
6234.1300 s.3; 6262.0500 s.3 (repealed).....	2222	7007.0100; .0150; .0200; .0250; .0300; .0350; .0400; .0500; .0750; .1050; .1110; .1115; .1120; .1125; .1130; .1150; .1200; .1250; .1251; .1300; .1450; 7011.0060; .0061; .0065; .0070; .0075; .0080 (adopted).....	1345
6236.0600; .0800; .1050 (adopted expedited emergency).....	1518	7007.0350 (proposed).....	588
6236.0700; .0855 (adopted expedited emergency).....	161	7007.0350 (adopted).....	1666
6236.0855; (adopted expedited emergency).....	2442 and 2486	7007.0800; 7017.0100 (proposed).....	967
6240.1950 (adopted expedited emergency).....	1132	7007.0800; 7017.0100 (adopted).....	1775
6262.0500 (adopted expedited emergency).....	1076	7007.1075; 7011.0553; 7017.1020 (proposed).....	585
6262.0500 (emergency proposed).....	1736	7007.1075; 7011.0553; 7017.1020 (adopted).....	1666
6262.0500 (adopted emergency).....	2091	7009.0050; .0060; .0080 (adopted).....	550
6264.0300 (adopted exempt).....	1517	7009.9000 (proposed).....	2212
6264.0300 (adopted exempt).....	2090	7027.0500-.1150 (proposed).....	1406
6287.0100-.0900 (proposed).....	2090	7027.0500-.1150 (adopted).....	2223
6287.0100-.0900 (adopted).....	2487	7038.0010-.0100 (proposed).....	1180
6290.0100-.0800 (proposed).....	409	7045.0020 s.102b; .0102 s.3; .0528 s.5; .0628 s.5; .0695 (proposed repealer).....	1542
6290.0100-.0800 (adopted).....	974	7076.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0215; .0224; .0230; .0240; .0250; .0260; .0280; .0285; .0290 (proposed).....	2414 and 2486
Nursing Board		7076.0110 s.14; .0210 s.2,6,7,8 and 9; .0220; .0240 1a; .0280 s.7 (proposed repealer).....	2414 and 2486
6305.0500; 6310.2600; .2900; .3200; 6330.0350; 6340.0050; 6340.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .0950; .1000; .1100 (proposed).....	1452	7080.0010; .0020; .0030; .0040; .0060; .0110; .0120; .0125; .0130; .0150; .0160; .0170; .0175; .0176; .0200; .0210 (proposed).....	412
6305.0500; 6310.2600; .2900; .3200; 6330.0350; 6340.0050; 6340.0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .0950; .1000; .1100 (adopted).....	2223	7080.0020 s.10.22a,29,34,41,50; .0050; .0070; .0080; .0090; .0110 s.1,2,3,5; .0120 s.2; .0130 s.5; .0180; .0210 s.7,9,10-15 (proposed repealer).....	412
6310.3600 (proposed).....	213	Trade and Economic Development Department	
6310.3600 (adopted).....	1131	7380.0800; .0810; .0820; .0830; .0840 (proposed).....	153
Optometry Board		7380.0800-.0840 (adopted).....	1227
6500.2000 (adopted).....	734	Public Safety Department	
Peace Officer Standards and Training Board		7400.0100-.6000 (adopted).....	157
6700.0900; .1600; .1610; .1700; .1710 (proposed).....	2000	7411.3100-.3300 (proposed).....	1410
Podiatric Medicine Board		7411.3100-.3300 (adopted).....	1965
6900.0010; .0020; .0160; .0200; .0210; .0300 (proposed).....	1798	7414.1400; .1600 (adopted).....	1131
6900.0200 s.8 (proposed repealer).....	1798	7416.0100; .0300; .0400; .9911; .9931 (adopted exempt rule).....	1151
Health Licensing Boards		7416.9910; .9920; .9930 (repealed).....	1151
6950.1000-.1090 (proposed).....	2480		
Pollution Control Agency			
7000.0050; .0100; .0200; .0400; .0500; .0550; .0650; .0750; .0850; .0900; .1750; .1800; .1900; .2000; .2100; .2200; .5000; .7000; .9000; .9100; 7001.0110; .0125; .0130; .0140; .0500; .1000; .1400; .3000; 7007.0850; 7023.9000; 7037.1100; 7037.1300; 7047.0040; 7050.0216; .0218; .0222; 7100.0340; 7105.0110 (proposed).....	323		
7000.0050; .0100; .0200; .0400; .0500; .0550; .0650; .0750; .0850; .0900; .1750; .1800; .1900; .2000; .2100; .2200; .5000; .7000; .9000; .9100; 7001.0110; .0125; .0130; .0140; .0500; .1000; .1400; .3000; 7007.0850; 7023.9000; 7037.1100; .1300; 7047.0040; 7050.0216; .0218; .0222;			

Minnesota Rules: Amendments and Additions

7417.0100; .0200; .0300; .0400 (proposed).....	548	8271.0010-.0350 (proposed).....	1659
7417.0100-.0400 (adopted).....	1227	8271.0010-.0350 (adopted).....	2163
7470.1000-.1700 (proposed).....	2362	Water & Soil Resources Board	
Crime Victims Reparations Board		8400.3000; .3030; .3060; .3110; .3130; .3160; .3200; .3210;	
7505.3100; .3200; .3500; .4100 (proposed).....	2354	.3230; .3260; .3300; .3330; .3360; .3390; .3400; .3460; .3500;	
Public Safety Department		.3530; .3560; .3600; .3610; .3630; .3700; .3730; .3830;	
7507.0500 (proposed).....	637	.3870; .3930 (adopted).....	550
7507.0500 (adopted).....	1637	8400.3030 s.8,12,13,16,18,21,22,34,35,37,38,39,41; .3100;	
7514.0100-.2000 (adopted).....	450	.3430; .3530 s.3,4; .3660; .3760; .3860; .3900 (repealed).....	550
7520.0650; .1000; .1100 (proposed).....	1403	Telecommunications Access to Communication-Impaired Persons Board	
7520.0650; .1000; .1100 (adopted).....	2090	8775.0100; .0300; .0400; .0500; .0800 (adopted).....	1666
Public Service Department		8775.0100 s.13 (repealed).....	1666
7600.0100-.9900 (proposed repealer withdrawn).....	1775	Transportation Department	
7601.0100-.9900 (proposed withdrawn).....	1775	8818.0100-.0300 (adopted).....	344
7600.0100-.9900 (proposed repealer).....	1841	8820.2950 (withdrawn).....	290
7601.0110-.9900 (proposed).....	1841	8885.0100-.0300 (proposed).....	1188
7813.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800;		8885.0100-.0300 (adopted).....	1965
.0900; .1000; .1100 (adopted).....	1518	Minnesota Veterans Homes Board	
Public Utilities Commission		9050.0040; .0210; .1030; .1070; .0390 (proposed).....	785
7829.0100-.3200 (errata).....	79	Veterinary Medicine Board	
7829.0100-.3200 (adopted).....	116	9100.0100; .1000 (proposed).....	2375
7830.0100-.4400; 7847.0010; .0020; .0100; .0110; .0120; .0130;		9100.0100 s.1d (proposed repealer).....	2375
.0140; .0150; .0200-.0320 (errata).....	79	9100.0400; .0500; .0600 (proposed).....	2243
7830.0100-.4400; 7847.0010; .0020; .0100; .0110; .0120; .0130;		Water & Soil Resources Board	
.0140; .0150; .0200-.0320 (adopted).....	116	9300.0010; .0020; .0030; .0035; .0040; .0050; .0070; .0085;	
Gambling Control Board		.0090; .0100; .0110; .0125; .0140; .0165; .0170; .0180; .0190;	
7861.0010; .0040; .0050; .0060; .0139; .0140; 7865.0020		.0200; .0210 (proposed).....	819
(adopted).....	156	9300.0080; .0160 (proposed repealer).....	819
7861.0010; .0040; .0060; .0080; .0120; 7863.0010; .0020;		Human Services Department	
7864.0010; .0030 (adopted).....	2380	9500.1100 (adopted expedited).....	1191
7861.0010; 7863.0010; 7864.0010; .0030; 7865.0020 (proposed)....	1092	9505.0277 (proposed).....	478
7861.0010; .0040; .0060; .0080; .0120; 7863.0010; .0020;		9505.0277 (adopted).....	2000
7864.0010; .0030 (proposed).....	1828	9505.0405 (proposed repealer).....	478
7861.0010; 7863.0010; 7864.0010; .0030; 7865.0020 (adopted)....	1854	9505.0405 (repealed).....	2000
7861.0080 (proposed).....	1601	9505.0415 (proposed).....	687
7861.0080 (adopted).....	2222	9505.0415 (adopted).....	1227
7863.0010 s.5; 7864.0010 s.5; .0020 (proposed repealer).....	1092	9505.2160; .2165; .2180; .2185; .2190; .2195; .2200; .2205;	
7863.0010 s.5; 7864.0010 s.5; .0020 (repealed).....	1854	.2210; .2215; .2220; .2225; .2230; .2235; .2236; .2240; .2245	
Minnesota Racing Commission		(proposed).....	721
7869.0100; 7870.0500; .0510; 7871.0010; .0110; 7873.0100;		9505.2160; .2165; .2180; .2185; .2190; .2195; .2200; .2205;	
.0110; .0130; .0150; .0192; .0198; .0550; 7875.0100; .0200;		.2210; .2215; .2220; .2225; .2230; .2235; .2236; .2240;	
7877.0120; .0125; .0130; .0155; .0170; .0180; 7878.0170;		2245 (adopted).....	1898
7879.0100; 7883.0140; .0160; 7884.0125; .0195; .0270;		9505.2165 s.6a,6b (proposed repealer).....	721
7892.0160; 7895.0110; .0300; 7897.0100; 7899.0100		9505.2165 s.6a,b (repealed).....	1898
(proposed).....	1952	9505.5000; .5005; .5010; .5020; .5025; .5105 (adopted)....	2433 and 2486
7869.0100; 7870.0500; .0510; 7871.0010; .0110; 7873.0100;		9505.5010 s.2; .5015 (repealed).....	2433 and 2486
.0110; .0130; .0150; .0192; .0198; .0550; 7875.0100; .0200;		9506.0010-.0100 (proposed).....	627
7877.0120; .0125; .0130; .0155; .0170; .0180; 7878.0170;		9506.0010-.0100 (adopted).....	1286
7879.0100; 7883.0140; .0160; 7884.0125; .0195; .0270;		9506.0010; .0050; .0070; .0090; .0200-.0400 (proposed).....	1945
7892.0160; 7895.0110; .0300; 7897.0100; 7899.0100 (adopted)...	2307	9545.0905-.1125 (proposed).....	1924
State Retirement System		9545.0900-.1090 (proposed repealer).....	1924
7905.0100; .0200; .0300; .0400; .0600; .0700; .0800; .1000;		9575.0350; .1500 (proposed).....	1397
.1100; .1200; .1300; .1400; .1700; .1900; .2100; .2200; .2300;		Workers' Compensation Court of Appeals	
.2400; .2900; .3000 (adopted exempt rule).....	1158	9800.0100; .0300; .0310 .0320; .0510; .0800; .0900; .0920;	
Revenue Department		.1000; .1050; .1100; .1400; .1500; .1600; .1700; .1710;	
8130.2200 (proposed).....	2366	.1720; .1900 (adopted).....	1131
Secretary of State		9800.1200 (repealed).....	1131
8200.3900; .9115; .9305; .9310; .9315; .9320; .9325; .9953;			
8210.0700; .3000; .9945; 8235.0300; 8250.0365; .0370; .0375;			
8255.0025 (adopted).....	593		
8210.9940 (repealed).....	593		

Proposed Rules

Pursuant to Minn. Stat. §14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Commerce

Proposed Permanent Rules Governing Credit Involuntary Unemployment Insurance

Notice of Intent to Adopt Rules Without a Public Hearing

The Minnesota Department of Commerce intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rules and, during that 30 day period you may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written request for a public hearing on the rules must be submitted to:

Donna M. Watz, Staff Attorney
Minnesota Department of Commerce
133 East 7th Street
St. Paul, Minnesota 55101
(612) 296-6593

Subject of Rule and Statutory Authority. The proposed rules establish the procedures, requirements and rates for the sale and regulation of credit involuntary unemployment insurance in Minnesota. The statutory authority to adopt these rules is *Minnesota Statutes*, sections 62B.12 and 45.023. The proposed rules are published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on July 26, 1995, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and be received by the agency contact person by 4:30 p.m. on July 26, 1995. Your request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rules which caused your request, the reason for the request, and any changes you want made to the proposed rules. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rules as printed in the *State Register*. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules.

Small Business Considerations. The provisions of *Minnesota Statutes*, section 14.115, subdivision 4 have been reviewed and it has been determined that these proposed rules will not adversely affect small businesses.

Expenditure of Public Money by Local Public Bodies. The provisions of *Minnesota Statutes*, section 14.11, subdivision 1 have

been reviewed and it has been determined that these proposed rules will not require the expenditure of public money by local public bodies greater than \$100,000 in the two years following rule adoption.

Impact on Agricultural Lands. The provisions of *Minnesota Statutes*, section 14.11, subdivision 2 have been reviewed and it has been determined that these proposed rules will not affect agricultural land.

Adoption and Review of the Rule. If no hearing is required, after the end of the comment period the agency may adopt the rules. The rules and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rules are submitted to the attorney general or be notified of the attorney general's decision on the rules. If you want to be so notified, or wish to receive a copy of the adopted rules, submit your written request to the agency contact person listed above.

Dated: 12 June 1995

James E. Ulland
Commissioner of Commerce

Rules as Proposed (all new material)

2761.0100 PURPOSE AND AUTHORITY.

The purpose of this chapter is to implement the authority to sell and effect the regulation of credit involuntary unemployment insurance pursuant to *Minnesota Statutes*, section 62B.12, and *Minnesota Statutes*, chapter 62B, as required by Laws 1993, chapter 343.

2761.0200 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Authorized insurer.** "Authorized insurer" means an insurer authorized to offer coverages specified by *Minnesota Statutes*, section 60A.06, subdivision 1, clauses (1) and (4).

Subp. 3. **Claims.** "Claims" means benefits payable under involuntary employment, excluding adjustment expense or expenses or additions of any kind.

Subp. 4. **Claims incurred.** "Claims incurred" means claims paid appropriately adjusted for changes in claim reserves, including reserves for reported claims in process of settlement and claims incurred but not reported.

Subp. 5. **Closed-end credit.** "Closed-end credit" means consumer credit other than "open-end credit" as defined in subpart 8.

Subp. 6. **Compensation.** "Compensation" means compensation as defined by *Minnesota Statutes*, section 62B.08, subdivision 6.

Subp. 7. **Credit involuntary unemployment insurance.** "Credit involuntary unemployment insurance" means insurance as defined by *Minnesota Statutes*, section 62B.02, subdivision 3a.

Subp. 8. **Open-end credit.** "Open-end credit" means credit extended by a creditor by an agreement that is a line of credit loan, a revolving charge plan, or any other open-end self-replenishing credit arrangement between the creditor and a customer that may be drawn upon from time to time by the customer without renegotiating the lending agreement. The customer may repay the full outstanding balance at any time, or a specified minimum portion of the indebtedness.

Subp. 9. **Premiums earned.** "Premiums earned" means total gross premiums received by the company reduced by premiums refunded or credited for termination before expiry of the policy term, and appropriately adjusted for changes in policy reserves.

Subp. 10. **Unemployment.** An individual is considered "unemployed" in any week during which the individual performs no services and with respect to which no wages are payable to the individual. "Unemployment" does not mean voluntary separation from employment, termination from employment for misconduct, or termination from employment for commission of criminal acts.

Subp. 11. **Waiting period.** "Waiting period" means the period of time between the effective date of a loan or, in the case of an open-end credit vehicle, an advance or increase in the amount of the loan, and the effective date of the insurance coverage.

2761.0300 POLICY FORMS AND RELATED MATERIALS.

Subpart 1. **Filing requirements.** All policy forms, certificates of insurance, notices of proposed insurance, applications for

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

insurance, endorsements, and riders to be delivered or issued for delivery in this state, and the schedules of premium rates pertaining to them must be filed with the commissioner as required by *Minnesota Statutes*, section 62B.07.

Subp. 2. **Loss ratio.** Each insurer filing rates for credit involuntary unemployment insurance benefit plans shall include in its rate filing with the commissioner the appropriate rate formula upon which its rates are based if other than the rates scheduled in this chapter, including provisions for losses, expenses, and profits. The provision for losses included in the rate formula shall not be less than 50 percent of the premium.

Subp. 3. **Eligibility statement.** Each individual policy or certificate of group insurance must, in addition to other requirements of *Minnesota Statutes*, section 62B.06, include a statement prominently displayed setting forth the following or its equivalent: your eligibility for coverage may be dependent upon your being eligible to receive state unemployment benefits. A change in your employment may affect your eligibility for benefits. If you have any questions, contact your insurance company.

2761.0400 STANDARD BENEFIT PLANS.

Subpart 1. **General standard.** Benefits provided under credit involuntary unemployment insurance policies must be reasonable in relation to premiums charged. Premiums will be considered reasonable if they conform to the prima facie rates shown in part 2761.0700, or if a loss ratio of at least 50 percent is contemplated to be achieved. Loss ratio is the ratio of incurred claims divided by earned premium.

Subp. 2. **Basic prima facie rates for closed-end credit are as reflected in part 2761.0700.** The premiums shown in part 2761.0700, Schedule A, may be used when credit involuntary unemployment insurance is issued in conjunction with any loan which has a specified maturity date whether the premiums are financed or otherwise collected on a monthly basis. To calculate the single premium rate when premiums are financed in a closed-end loan, insurers must multiply the rates shown in part 2761.0700, schedule A, by the term of the loan in months. The basic plan of insurance to which this prima facie rate applies is as follows:

A. Coverage is provided or offered, with or without underwriting, to all debtors regardless of age or to all debtors not older than a specified age limit, which shall not be less than age 65 at the time the insurance becomes effective or age 66 at the scheduled maturity date of the transaction.

B. Exclusion from qualification for coverage:

- (1) self-employed individuals, including independent contractors;
- (2) workers in seasonal or temporary jobs, defined as jobs designed to last six consecutive months or less;
- (3) individuals working for wages or salary for less than 30 hours a week; or
- (4) debtors who have been notified either orally or in writing of any layoff or of employment termination either by the effective date of coverage or within 90 days after the effective date.

C. Coverage for unemployment for any reason, except that coverage may be excluded for:

- (1) voluntary forfeiture of salary, wage, or other employment income;
- (2) resignation;
- (3) retirement;
- (4) general strike;
- (5) illegal walkout;
- (6) war (declared or undeclared), civil commotion, riot, insurrection, rebellion, or revolution;
- (7) separation from the military;
- (8) willful or criminal misconduct or unlawful behavior;
- (9) disability caused by accident, sickness, disease, or pregnancy;
- (10) nuclear occurrence;
- (11) natural disaster; and
- (12) a controlling stockholder of the employer or any of the dependents of the controlling stockholder. A person is a "controlling stockholder" if the person owns ten percent or more of the outstanding voting stock of the employer, unless otherwise determined.

D. Coverage becomes effective after a waiting period of no more than 60 days after the initiation of the loan or credit agreement, and benefits may be retroactive to the first day of unemployment or after an elimination period of 30 days.

E. Benefits provided for various terms of coverage shall not be less than the schedule below:

TERM OF COVERAGE (MONTHS)	CONSECUTIVE BENEFITS PAYABLE	TOTAL BENEFITS PAYABLE
Under 12	3	3
12-23	3	6
24-35	4	12
36-47	6	12
48-60	6	12
over 60*	6	18

*includes open-end credit vehicles (e.g. credit cards)

F. The total amount of periodic benefits payable shall not exceed the aggregate of the periodic scheduled unpaid installments of the indebtedness at the time of the loss. The amount of each periodic benefit shall not exceed the original indebtedness divided by the number of periodic installments.

G. If the period of unemployment for which benefits are to be paid is less than 30 days, 1/30th of the scheduled monthly payments for each day of a period within the unemployment period must be paid to the creditor to reduce the debtor's account.

H. In the event of cancellation of the master policy, coverage as provided by the certificates issued under that master policy shall remain in force until expiration, unless sooner canceled according to other terms and conditions.

Subp. 3. **Basic prima facie rates for open-end credit.** The basic prima facie rate for credit involuntary unemployment insurance payable on a monthly outstanding balance basis in connection with open-end credit transactions is reflected in part 2761.0700, Schedule B. The basic plan of insurance to which this prima facie rate applies is as follows:

A. Coverage is provided or offered, with or without underwriting to all debtors, except the plan or policy may have an age restriction providing that no insurance will become effective on debtors on or after the attainment of age 66 and that all insurance will terminate upon attainment by the debtor of age 66.

B. Exclusion from qualification for coverage:

- (1) self-employed individuals including independent contractors;
- (2) workers in seasonal or temporary jobs, defined as jobs designed to last six consecutive months or less;
- (3) individuals working for wages or salary for less than 30 hours a week; and
- (4) debtors who have been notified either orally or in writing of any layoff or of employment termination either by the effective date of coverage or within 90 days after the effective date.

C. Coverage for unemployment for any reason, except that coverage may be excluded for:

- (1) voluntary forfeiture of salary, wage, or other employment income;
- (2) resignation;
- (3) retirement;
- (4) general strike;
- (5) illegal walkout;
- (6) war (declared or undeclared), civil commotion, riot, insurrection, rebellion, or revolution;
- (7) separation from the military;
- (8) willful misconduct or criminal misconduct or unlawful behavior;
- (9) disability caused by accident, sickness, disease, or pregnancy;
- (10) nuclear occurrence; and
- (11) natural disaster.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

D. Coverage becomes effective after a waiting period of no more than 60 days after the initiation and use of each loan or credit agreement, and benefits may be retroactive to the first day of unemployment or after an elimination period of 30 days.

Subp. 4. **Reeligibility.** A credit involuntary unemployment insurance policy may impose conditions under which an insured debtor becomes reeligible for credit unemployment benefits after a period of receiving benefits. If reeligibility conditions are required for full benefits for a subsequent period of unemployment, the conditions may not be more stringent than the initial eligibility conditions and in no event shall require that the insured be actively at work for more than six consecutive months. If an insured debtor has not satisfied the reeligibility requirement at the time of a subsequent unemployment, the unemployment shall be considered a continuation of the prior unemployment with no waiting period, and with a maximum benefit period equal to the unused portion of the maximum benefit period for the prior unemployment.

Subp. 5. **Joint coverage rates.** Joint coverage rates for credit involuntary unemployment insurance shall be 175 percent of the specified single rate of coverage.

Subp. 6. **Presumption of reasonableness.** Policy forms providing benefits as set forth in this part at the prima facie rates then in effect will be conclusively presumed to be reasonable in relation to the premium charged.

2761.0500 REFUNDS OF PREMIUM.

A. The refund of an unearned amount paid by or charged to the debtor for credit involuntary unemployment insurance on which the charges to the debtor are payable by other than a single advance premium shall not be less than the pro rata gross unearned amount charged.

B. The refund of an unearned amount paid by or charged to the debtor for credit involuntary unemployment insurance on which the insurance charges to the debtor are paid in a single advance premium shall not be less than the amount computed by the mean of the "sum of the digits" (rule of 78ths) method and the pro rata method.

C. A premium refund or credit need not be made if the amount is less than \$5.

D. A refund of premium must be made for any portion of premium covering a period beyond any one of the following:

- (1) the date on which termination became effective;
- (2) in the case of monthly installment, the installment due date nearest the date of termination;
- (3) the date based on the procedure in law used for determining any unearned interest on the loan or advance of credit; or
- (4) the date based on any other procedure filed by the insurer and approved by the commissioner.

E. Termination must include termination for any reason.

2761.0600 PROHIBITED PRACTICES.

Subpart 1. **Generally.** No insurer, or a parent, subsidiary, officer, agent, solicitor, or representative of the insurer, shall engage in any of the following practices:

A. deposit of premiums to the account of the insurer in the financial institution for which the insurer provides the credit insurance, when the account is either non-interest-bearing or at a rate of interest less than usual or the account is controlled by the institution;

B. allowing the remittance of premiums to the insurer after the expiry of date due on a regular basis so that the arrearage period is constant;

C. the retention of premiums by an agent or broker to whom the creditor remits premiums for a period of time that is not reasonably related to the time normally expected to be needed for the agent or broker to remit the premiums to the insurer, if such delay is a continuing feature of the premium paying process;

D. any other practice which unduly delays receipt of premiums by the insurer on a regular basis; or

E. any other practices which involve use of the resources of the insurer for the benefit of the creditor.

Subp. 2. **Limitation on compensation.** An insurer, subsidiary, or parent of the insurer shall not pay compensation to a creditor or a group policyholder offering credit involuntary unemployment insurance in excess of 30 percent of the net written premium.

Subp. 3. **Application.** The criteria in subpart 2 apply regardless of whether premiums are due the insurer on a single premium advance system or any outstanding balance system.

2761.0700 PREMIUM RATES.

No policies of credit involuntary unemployment insurance issued after the effective date of this chapter shall be at a rate in excess of that set forth in this part except that benefit plans different from these basic benefit plans are subject to prior approval pursuant to part 2761.1100.

Schedule A - Single Premium Advance System
Monthly Rates per \$10 of Monthly Benefit Provided

Benefits	Nonretroactive Benefits for a 30-Day Elimination Period		Retroactive Benefits for a 30-Day Elimination Period	
	30-Day Waiting Period	60-Day Waiting Period	30-Day Waiting Period	60-Day Waiting Period
3	\$0.19	\$0.18	\$0.29	\$0.26
4	0.22	0.21	0.33	0.30
6	0.25	0.23	0.36	0.34
9	0.27	0.25	0.38	0.37
12	0.28	0.27	0.40	0.38

Single premium rates are determined by multiplying the above rates by the term of the loan in months.

Schedule B - Outstanding Balance System
Monthly Rates per \$10 of Monthly Benefit Provided

Benefits	Nonretroactive Benefits for a 30-Day Elimination Period		Retroactive Benefits for a 30-Day Elimination Period	
	30-Day Waiting Period	60-Day Waiting Period	30-Day Waiting Period	60-Day Waiting Period
3	\$0.23	\$0.21	\$0.33	\$0.31
4	0.26	0.24	0.38	0.35
6	0.29	0.27	0.42	0.40
9	0.31	0.30	0.45	0.43
12	0.33	0.31	0.47	0.45

Rates stated as \$0.xx per \$100 outstanding balance per month should be consistent with the above rates. For example, if a credit card required a minimum payment of five percent of the balance, a rate of 40 cents per \$10 of monthly benefit could also be stated as 20 cents per \$100 of outstanding balance because \$10 is five percent of \$200. As another example, if the minimum required payment is three percent of the outstanding balance, the 40 cents per \$10 of monthly benefit rate translates to 12 cents per \$100 of outstanding balance.

2761.0800 STANDARD PREMIUM RATE CHANGES; UNEMPLOYMENT RATE VARIABLE.

Premium rates in part 2761.0700, Schedules A and B, may be adjusted from time to time based on the application of the factors to be applied from variations in the state unemployment rate. Prima facie rates in part 2761.0700, Schedules A and B are based on a state unemployment rate in the 3.5 percent to 4.4 percent band. To the extent that the state unemployment rate falls in bands outside the 3.5 percent to 4.4 percent band, the following table shall be used to adjust part 2761.0700, Schedules A and B rates accordingly:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

State Unemployment Rate	Factor to be Applied to Prima Facie Rates
Less than 3.5 percent	0.80
3.5 to 4.4 percent	1.00
4.5 to 5.4 percent	1.25
5.5 to 6.4 percent	1.50
6.5 to 7.4 percent	1.75
7.5 to 8.4 percent	2.00
More than 8.4%	2.50

The source for the official state unemployment rate is the seasonally adjusted rate as published monthly in the United States Department of Labor, Bureau of Labor Statistics, Employment and Earnings, Table C-2, "Labor Force Status by State Seasonally Adjusted."

Rates must be modified within 90 days after the third consecutive month of changed unemployment in a different one of the above unemployment bands, although companies can choose not to increase rates even when permissible.

2761.0900 COORDINATION AND PUBLICATION OF CURRENT STANDARD BENEFIT PLAN PRIMA FACIE RATES.

The rates in part 2761.0700, Schedules A and B, will be determined from time to time by the commissioner under the conditions in and published before the end of the 90-day period in part 2761.0800. The publication will be in the *State Register* and by Commerce Department Bulletin provided to the companies with policies on file and approved for Credit Involuntary Unemployment Insurance.

2761.1000 RATE MAKING METHODOLOGY AND DETERMINATION OF PREMIUM RATES.

Standard rates in part 2761.0700, Schedules A and B, are given in or derived from the information provided in the statement of need and reasonableness available in connection with this chapter.

2761.1100 USE OF BENEFIT PLANS DIFFERENT FROM STANDARD BENEFIT PLANS.

An insurer may file for approval of and use benefit plans that differ from the basic benefit plans in part 2761.0700. Rates for these plans that differ must be actuarially consistent with the prima facie rates then in force and must be filed with a supporting actuarial memorandum as required by part 2761.0300. Different benefit plans and the rates filed with those plans shall not be used until those forms and rates are approved by the commissioner.

2761.1200 APPLICATION.

Certificates, notices of proposed insurance, and premium rates in connection with existing group policies shall conform to the requirements of this chapter no later than the anniversary date of the group policy next following the effective date of this chapter.

to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The boards' notice of adoption must be mailed on the same day that the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the boards' contact person listed above at any time prior to the filing of the rule with the Secretary of State.

Dated: 12 June 1995

Larry A. Spicer, Executive Director
Board of Chiropractic Examiners

Patricia H. Glasrud, Executive Director
Board of Dentistry

H. Leonard Boche, Executive Director
Board of Medical Practice

Joyce M. Schowalter, Executive Director
Board of Nursing

Lois E. Mizuno, Executive Director
Board of Podiatric Medicine

Rules as Proposed (all new material)

6950.1000 STATEMENT OF PURPOSE.

Parts 6950.1000 to 6950.1090 are intended to promote the health and safety of patients and regulated persons by reducing the risk of transmission of HBV and HIV in the provision of health care through the use of universal precautions and other infection control procedures.

6950.1010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 6950.1000 to 6950.1090 have the meanings given in this part and *Minnesota Statutes*, section 214.18.

Subp. 2. **Clinical practice location.** "Clinical practice location" means a site at which a regulated person practices.

Subp. 3. **Contaminated.** "Contaminated" means the presence or the reasonably anticipated presence of potentially infectious materials on an item or surface.

Subp. 4. **Decontamination.** "Decontamination" means the removal, inactivation, or destruction of HBV and HIV on a surface or item to the point where HBV and HIV are no longer capable of causing infection and the surface or item is rendered safe for bare-handed touching, use, or disposal.

Subp. 5. **Exposure incident.** "Exposure incident" means that a person has eye, mucous membrane, nonintact skin, or parenteral contact with potentially infectious materials at a clinical practice location.

Subp. 6. **High-level disinfection.** "High-level disinfection" means the elimination of all microorganisms except bacterial spores.

Subp. 7. **Infection control requirements.** "Infection control requirements" means the requirements of parts 6950.1000 to 6950.1090 and *Minnesota Statutes*, sections 214.17 to 214.25.

Subp. 8. **Parenteral.** "Parenteral" means taken into the body in a manner other than through the digestive canal.

Subp. 9. **Personal protective equipment.** "Personal protective equipment" means any equipment or overclothes that reduce the risk of a person's clothing, skin, eyes, mouth, or other mucous membranes coming into contact with potentially infectious materials at a clinical practice location. Personal protective equipment includes, but is not limited to, aprons, clinic jackets, eyeglasses with shields, face shields, foot and leg coverings, gloves, gowns, lab coats, and masks.

Subp. 10. **Potentially infectious materials.** "Potentially infectious materials" means:

- A. human blood, human blood components, and products made from human blood;

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

B. semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;

C. any unfixed tissue or organ (other than intact skin) from a human (living or dead); and

D. HIV-containing cell, tissue, or organ cultures, HIV- or HBV-containing culture media or other solutions, and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Subp. 11. **Sharps.** "Sharps" means objects that can penetrate the skin. Sharps include, but are not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Subp. 12. **Sterilization.** "Sterilization" means the destruction of all microbial life, including bacterial spores.

6950.1020 COMPLIANCE WITH INFECTION CONTROL REQUIREMENTS.

Subpart 1. **Scope of responsibility.** A regulated person must comply with infection control requirements to the extent that the regulated person has responsibility for, or jurisdiction and control over, a specific infection control procedure to which the requirements apply.

Subp. 2. **Exception to compliance.** A regulated person must strictly comply with the requirements of parts 6950.1000 to 6950.1090 unless, under rare and extraordinary circumstances, strict compliance with the requirements would prevent the delivery of health care services or impose an increased hazard to the safety of patients or regulated persons.

6950.1030 COMPLIANCE WITH RECOMMENDATIONS OF CENTERS FOR DISEASE CONTROL.

Subpart 1. **Scope of responsibility.** A regulated person must comply with the recommendations of the Centers for Disease Control to the extent that the recommendations are consistent with the requirements of parts 6950.1000 to 6950.1090. The recommendations are contained in the following Centers for Disease Control documents:

- A. "Guideline for Handwashing and Hospital Environmental Control," 1985;
- B. "Morbidity and Mortality Weekly Report," August 21, 1987, Vol. 36, No. 2S;
- C. "Morbidity and Mortality Weekly Report," June 24, 1988, Vol. 37, No. 24;
- D. "Morbidity and Mortality Weekly Report," February 9, 1990, Vol. 39, No. RR-2; and
- E. "Morbidity and Mortality Weekly Report," May 28, 1993, Vol. 42, No. RR-8.

The recommendations are incorporated by reference. The recommendations are available at the Minnesota State Law Library, Judicial Center, 25 Constitution Avenue, St. Paul, Minnesota 55155. The recommendations are subject to frequent change.

Subp. 2. **Inconsistencies.** To the extent there are inconsistencies, the requirements of parts 6950.1000 to 6950.1090 supersede the recommendations of the Centers for Disease Control.

6950.1040 EXPOSURE INCIDENTS.

A regulated person must ensure that a patient is informed immediately or as soon as possible after the patient is subjected to an exposure incident when the regulated person has personal knowledge of the incident and (1) the source of the exposure incident is a person who tests positive for HBV or HIV; or (2) the source of the exposure incident is a person who refuses to be tested for HBV and HIV. A regulated person must not disclose to a patient who is subjected to an exposure incident the identity of the source unless the source has explicitly given authorization for release of identity.

6950.1050 COMPLIANCE WITH POLICIES AND PROCEDURES ON INFECTIOUS DISEASES.

Parts 6950.1000 to 6950.1090 must not be construed to limit the duty, obligation, or responsibility of a regulated person to comply with policies and procedures that are designed to prevent the transmission of infectious diseases, are consistent with infection control requirements, and are required by a clinic, hospital, institution, or other entity at a clinical practice location.

6950.1060 GENERAL CONTROLS.

Subpart 1. **General requirements.** A regulated person:

- A. must not cut, bend, or break contaminated needles;
- B. must not recap or remove a contaminated sharp from its base unless the regulated person can demonstrate that no alternative is feasible, that the action is required by a specific medical procedure, or that the base is reusable, in which case the recapping or removal must be accomplished through the use of a mechanical device or a one-handed technique;
- C. must minimize splashing, spraying, spattering, and generation of droplets of potentially infectious materials;
- D. must not perform mouth pipetting or suctioning of potentially infectious materials;

E. must, before caring for a subsequent patient, remove and replace protective coverings used to cover equipment or work surfaces in work areas if the coverings become contaminated;

F. must remove debris and residue and decontaminate equipment before the equipment is repaired in the clinical practice location or transported to another site for repair; and

G. must pick up contaminated objects in such a manner that bare or covered skin does not come into contact with contaminated sharp surfaces.

Subp. 2. Multiple dose vials.

A. A disposable needle or syringe that is used to withdraw fluid from a multiple dose vial must not be used more than once.

B. A reusable needle or syringe that is used to withdraw fluid from a multiple dose vial must be sterilized before each use.

Subp. 3. Handwashing. A regulated person must thoroughly wash hands or other skin surfaces as soon as feasible after hands, other skin surfaces, or gloves are contaminated and in any case prior to treatment of a subsequent patient.

Subp. 4. Decontamination and sterilization.

A. All debris and residue from reusable contaminated equipment, instruments, and devices must be completely removed.

B. Equipment, instruments, and devices which come into contact with a patient's vascular system or other normally sterile areas of the body must be sterilized.

C. Equipment, instruments, and devices which come into contact with a patient's intact mucous membranes but do not penetrate body surfaces must be sterilized or high-level disinfected.

D. Equipment, instruments, and devices which come into contact with a patient's intact skin must be decontaminated.

E. Work surfaces must be decontaminated immediately or as soon as feasible after the surfaces become contaminated and prior to treatment of a subsequent patient.

Subp. 5. Transfers. A regulated person must not transfer contaminated disposable sharps or potentially infectious materials from one container to another container.

Subp. 6. Disposable contaminated sharps. A regulated person:

A. must, immediately or as soon as feasible after use and until the sharps are disposed of, store disposable contaminated sharps in containers that are puncture resistant, leakproof on the sides and bottom, closable, and labeled with a biohazard symbol;

B. must not store or dispose of disposable contaminated sharps in a manner that allows a person to reach by hand into the containers where the sharps are placed;

C. must place containers for disposable contaminated sharps where the containers are easily accessible to health care workers and as close as is feasible to the immediate area where sharps are used or can reasonably be expected to be found; and

D. must replace containers for disposable contaminated sharps before they become full.

Subp. 7. Reusable contaminated sharps. A regulated person:

A. must, immediately or as soon as feasible after use and until the sharps are decontaminated, store reusable contaminated sharps in containers that are puncture resistant, leakproof on the sides and bottom, and labeled with a biohazard symbol;

B. must place containers for reusable contaminated sharps where the containers are easily accessible to health care workers and as close as is feasible to the immediate area where sharps are used or can reasonably be expected to be found;

C. must place containers for reusable contaminated sharps where the contents do not impose undue risk of an exposure incident at a clinical practice location;

D. must maintain containers for reusable contaminated sharps upright throughout use; and

E. must replace containers for reusable contaminated sharps before they become full.

6950.1070 PERSONAL PROTECTIVE EQUIPMENT.

Subpart 1. General requirements. The general requirements for personal protective equipment are as described in this subpart.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

A. A regulated person must wear appropriate personal protective equipment in situations where it is reasonably anticipated that the person may have skin, eye, mucous membrane, or parenteral contact with potentially infectious materials at a clinical practice location.

B. Disposable contaminated personal protective equipment must not be used in the care of more than one patient.

C. After contaminated personal protective equipment is removed, it must be stored so as not to pose undue risk of an exposure incident.

D. Personal protective equipment must be discarded after its ability to function as a barrier is compromised.

E. Appropriate personal protective equipment must be worn in situations where potentially infectious materials may be splashed, sprayed, spattered, or otherwise generated.

F. Personal protective equipment must be replaced as necessary to protect self and patients from transmission of HBV or HIV.

Subp. 2. **Gloves.** A regulated person:

A. must wear gloves when:

(1) it can be reasonably anticipated that contact with potentially infectious materials, mucous membranes, or nonintact skin may occur;

(2) vascular access procedures are performed; or

(3) contaminated items or surfaces are handled or touched;

B. must wear sterile gloves in preparation for and during surgery requiring sterile technique;

C. must replace gloves before caring for a subsequent patient;

D. must discard gloves which have become worn or punctured, or after their ability to function as a barrier is otherwise compromised;

E. must not use disposable examination gloves on more than one patient; and

F. must discard reusable utility gloves used for decontamination procedures or housekeeping tasks if the gloves are cracked, peeling, torn, punctured, exhibit other signs of deterioration, or if their ability to function as a barrier is otherwise compromised.

Subp. 3. **Masks, face shields, and eye protection equipment.** A regulated person:

A. must wear either:

(1) a mask and eye protection equipment; or

(2) a chin-length plastic face shield in situations where it is reasonably anticipated that potentially infectious materials may be splashed, spattered, or otherwise generated;

B. must replace a disposable mask before caring for a subsequent patient if the mask becomes contaminated; and

C. must decontaminate a reusable mask, face shield, safety glasses, or eye protection equipment before caring for a subsequent patient if the item becomes contaminated.

6950.1080 SPILLS AND LAUNDRY.

Subpart 1. **Spills.** Surfaces must be decontaminated immediately or as soon as feasible after potentially infectious materials are spilled.

Subp. 2. **Laundry.** Contaminated linen:

A. must be handled as little as possible and with minimum agitation;

B. must be placed in bags that prevent leakage at the location where it is used; and

C. must not be sorted or rinsed in patient-care areas.

6950.1090 PREVENTING ESCAPE OF FLUIDS.

A regulated person must refrain from having hands-on contact with patients or handling equipment, instruments, or devices with which patients may come into contact when the regulated person has an injury, sore, wound, or dermatitis which is oozing or dripping with potentially infectious materials and which is not covered by a mask or dressing that prevents the escape of all fluids.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §§14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Department of Agriculture

Adopted Permanent Rules Relating to Fertilizer Labeling

The rules proposed and published at *State Register*, Volume 19, Number 33, pages 1692-1701, February 13, 1995 (19 SR 1692), are adopted with the following modifications:

Rules as Adopted

1510.0412 LABEL INFORMATION REQUIREMENTS.

Subpart 1. **Information and format.** Specialty fertilizers offered for sale, sold, or distributed in this state, in bags or other containers, must have placed on or affixed to the container the following information in the following format except as provided in part 1510.0413:

A. net weight; ~~provided that for specialty fertilizers that are custom applied, the net weight statement may be expressed as net weight per units treated or total weight of fertilizer applied;~~

B. brand and grade, provided that:

(3) no numerals that ~~are misleading or confusing~~ misrepresent the plant food or product composition of the fertilizer may be used in the brand name of a fertilizer; and

Subp. 7. **Additional nonplant food materials.** Additional information that is not listed in subparts 1, item C; 2; and 5 may not appear in the guaranteed analysis statement, but may appear on the label ~~if approved by the commissioner~~ and if placed below and separate from the guaranteed analysis statement.

1510.0416 CONTROLLED RELEASE PLANT NUTRIENTS.

Subp. 3. **Descriptive terms.** "Controlled release" is the preferred term, however the terms "water insoluble," "coated slow release," "slow release," "controlled release," "slowly available," "water soluble," and "occluded slow release" are accepted as descriptive of these products, provided that the manufacturer can show a testing program approved by the department substantiating the claim.

Subp. 9. **Acceptable guaranteed analysis breakdown for coated controlled release or occluded controlled release nutrients.** When nutrients in a fertilizer are coated, or occluded to obtain controlled release properties, then the guarantees for those components must be shown as footnotes rather than as a component following each nutrient as indicated in items A to C.

C. A fertilizer with two or more nutrients from coated materials.

* The nitrogen, ~~phosphorus phosphate~~, and ~~potassium potash~~ materials in this product have been coated to provide 9.0 percent coated controlled release nitrogen (N), 13 percent coated controlled release available phosphate (P₂O₅), and 18 percent coated controlled release soluble potash (K₂O).

Subp. 10. **Acceptable guaranteed analysis breakdown for slowly available water soluble nitrogen.** If a fertilizer material or fertilizer mixture contains recognized and determinable forms of water soluble nitrogen with controlled release properties, the guarantees for those components, if claimed, ~~should~~ must be shown as footnotes rather than as a component in the nitrogen breakdown, as indicated in items A and B.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Errata

A.

Slow Fertilizer 20-0-0
Guaranteed Analysis

Total Nitrogen (N) 20%

8.0% Urea Nitrogen
2.0% Other Water Soluble Nitrogen
2.9% Slowly Available Water Soluble Nitrogen*
7.1% Water Insoluble Nitrogen

Plant nutrients derived from: _____

*— Controlled release nitrogen from _____

OR

1510.0422 ENFORCEMENT.

The commissioner shall proceed in accordance with *Minnesota Statutes*, section ~~18B.305~~ 18D.305, upon satisfactory evidence that a label or labeling of a fertilizer does not meet the provisions in parts 1510.0410 to 1510.0422.

Department of Natural Resources

Adopted Permanent Rules Relating to Quarantine Facilities for Fertilized Fish Eggs

The rules proposed and published at *State Register*, Volume 19, Number 41, pages 2084-2089, April 10, 1995 (19 SR 2084), are adopted with the following modifications:

Rules as Adopted

6287.0600 OPERATION OF QUARANTINE FACILITY.

Subp. 4. **Facility disinfection.** The following procedure will be considered a complete disinfection when using chlorine.

F. Other disinfection methods and procedures ~~as~~ must be approved by the commissioner.

ERRATA

State Register

Correction to Misdated Running Footers in Monday 19 June 1995 *State Register*

Although the cover correctly listed the issue's date and current pages, the running footers on the bottom of the inside pages in Monday 19 June 1995 (Vol. 19, #51) *State Register* were incorrectly listed as Monday 19 July 1995. The affected rules have been referenced to this "Errata" in the "*Minnesota Rules: Amendments and Additions*" section. In addition, agencies and the title of their rules and official notices having to do with the rulemaking process appearing in that issue are listed below with their page numbers from the Monday 19 June 1995 issue, Vol. 19, # 51:

Proposed Rules

Housing Finance Agency

Proposed Permanent Rules Relating to Home Ownership Assistance Fund - Notice of Intent to Adopt a Rule Without a Public Hearing, pages 2412-2413.

Pollution Control Agency

Proposed Permanent Rules Relating to the Clean Water Partnership program - Notice of Intent to Adopt a Rule Amendment Without a Public Hearing, pages 2414-2432.

Adopted Rules**State Board of Education**

Notice of Effective Date of the Following Adopted Permanent Rules Relating to Special Education Rules, page 2432.

Department of Education

Adopted Permanent Rules Relating to Special Education Rules, pages 2432-2433.

Department of Human Services

Adopted Permanent Rules Relating to Conditions for medical Assistance and General Assistance Medical Care Payment, page 2433.

Department of Natural Resources

Adopted Permanent Rules Relating to Leases for Selected Industrial Minerals, page 2433-2434.

Department of Natural Resources

Adopted Permanent Rules Relating to the Leasing of State lands for Metallic Minerals, page 2434.

Emergency Rules**Department of Natural Resources**

Adopted Expedited Emergency Game and Fish Rules; 1995 Moose Season Quotas and Moose Zone Changes, pages 2435-2442.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; 1995 Fall Turkey Quotas, page 2442.

Revenue Notice**Department of Revenue**

Revenue Notice # 95-4 Sales Tax: Penalty for Operators of Flea Markets and Similar Events, page 2443.

Official Notices**Administrative Hearings Office**

Notice of Solicitation of Comments on the Development of Rules Governing Rulemaking Procedure, pages 2443-2444.

Department of Economic Security

Notice of Solicitation of Outside Opinion Regarding Proposed Rules Governing Appeals, page 2444.

State Board of Education

Notice of Intent to Solicit Outside Information Regarding Proposed Rule Governing Graduation Standards, page 2445.

Department of Human Services

Amended Notice of Solicitation of Outside Information or Opinions Regarding proposed Amendment of Rules Related to the Administration and Provision of Foster Care Services to Children and Their Families, page 2449.

Department of Human Services

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Repeal of Rules Governing Eligibility for Medical Assistance, page 2450.

Department of Human Services

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Homemaking Services, *Minnesota Rules*, Part 9565.1200, subpart 2, pages 2450-2451.

Department of Human Services

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Operation, Maintenance, and Licensure of program to be Established at the Minnesota Sexual Psychopathic Personality Treatment Center, page 2451.

Department of Human Services

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules and Amendments Governing the removal of Children in Need of Protection, currently governed by *Minnesota Rules*, part 9560.0220, subparts 6, 7, page 2452.

Department of Human Services

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Medical Assistance Payment for Therapeutic Support of Foster Care and Family Community Support Services; and Medical Assistance Payment for Wraparound Services, pages 2452-2453.

Pollution Control Agency

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rulemaking Adopting Miscellaneous Required Federal Regulations into *Minnesota Rules*, Chapter 7001 and 7045, page 2454.

Pollution Control Agency

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendment to Rules Governing Reference Materials, Testing Methodology and Hazardous Waste Constituents, *Minnesota Rules* Parts 7045.0065; .0075; .0131; .0135; .0141; .0528; .0538; .0628; .0638, page 2455.

Official Notices

Pursuant to the provisions of Minnesota Statutes §14.101, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

State Register

Correction to Misdated Running Footers in Monday 19 June 1995 *State Register*

Although the cover correctly listed the issue's date and current pages, the running footers on the bottom of the inside pages in Monday 19 June 1995 (Vol. 19, #51) *State Register* were incorrectly listed as Monday 19 July 1995. The affected rules have been referenced in the "Errata" section of this issue of the *State Register*, on page 2486-2487. They have also been noted in the "*Minnesota Rules: Amendments and Additions*" section. In addition, agencies and the title of their rules and official notices having to do with the rulemaking process appearing in that issue are listed in the "Errata" section on page 2486-2487 along with their page numbers from the Monday 19 June 1995 issue, Vol. 19, # 51.

Department of Agriculture

Agronomy Services Division

Notice of Extension of Comment Period

NOTICE IS HEREBY GIVEN that the comment period for the proposed amendments to the rules governing restricted use pesticides, as published in the *State Register* on May 22, 1995, pages 2267-2269, (19 S.R. 2267), is extended until July 28, 1995.

Dated: 24 May 1995

Elton Redalen
Commissioner

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C to Construct a Dairy Barn, Purchase Heifers and a Tractor in Winona County

NOTICE IS HEREBY GIVEN that a public hearing will be held on **July 12, 1995, at 9 A.M.** in **Room 145** Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the **construction of a dairy barn; purchase heifers and a tractor** located in **Section 13, Township 105N, Range 8W, Winona County, Minnesota** on behalf of **Donald & Cheryl Kjos**, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is **\$140,000.00**. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 June 1995

Wayne Marsolf
RFA Executive Director (acting)

Department of Agriculture

Rural Finance Authority

Notice of Application Period for Ethanol Facility Loan Applications

NOTICE IS HEREBY GIVEN that the Rural Finance Authority (RFA) has scheduled an application period for submitting applications for assistance through the Ethanol Production Facility Loan Program. Applications will be accepted from 8:00 a.m. on Monday, July 3, 1995, through 4:30 P.M. on Friday, August 18, 1995. Applications are to be delivered to the Rural Finance Authority at the Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107.

To obtain an application packet, please call the RFA at (612) 297-3557.

Minnesota Comprehensive Health Association

Notice of Meeting of the Underwriting Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Underwriting Committee will be held at 8:00 a.m. on Tuesday, July 11, 1995 at Northwestern National Life Insurance Company, 100 Washington Avenue South, Minneapolis, in room 21 (B) on the twenty-first floor.

For additional information please call Lynn Gruber at (612) 593-9609.

Board of Dietetics and Nutrition Practice

Notice of Solicitation of Comments on the Development of Rules Governing Initial Licensure and License Renewal

Minnesota Statutes 148.621 - 148.633 (1994) created the Board of Dietetics and Nutrition Practice and requires the board to adopt rules to administer the statutes.

NOTICE IS HEREBY GIVEN that the Board of Dietetics and Nutrition Practice (BDNP) is seeking comments in preparing rules relating to 1) initial licensing requirements; 2) license renewal requirements; and 3) fees.

Specifically, the BDNP is seeking comments on:

- a. requirements and process for initial licensure of dietitians and nutritionists
- b. requirements and process for renewal of dietitian and nutritionist licenses

Individuals expected to be affected by these rules include all persons providing dietetic or nutritional services to the public and hold themselves out to be either dietitians or nutritionists.

Written comments will be accepted until August 26, 1995. Comments may be mailed to:

Laurie Mickelson, Executive Director
Board of Dietetics and Nutrition Practice
2700 University Avenue West, Suite 103
St. Paul, MN 55114

If you wish to receive a draft of the proposed rules, or if you wish to be placed on the BDNP rulemaking list, please write to the above address or call (612) 643-2121.

Dated: 19 June 1995

Laurie Mickelson
Executive Director

Official Notices

Department of Economic Security

Job Service/Reemployment Insurance

Unemployment Insurance Quality Control Annual Report for Calendar Year 1994

Total Dollars Paid in Population \$369,126,645
Sample Size 960

	Percentage of Dollars	95% Confidence Interval (+/-)
Proper Payments	87.3%	2.1%
Overpayments	12.7%	2.1%
	<hr/> 100.0%	
Underpayments	0.7%	0.3%

Claimants failing to conduct required work search were given formal warnings and no overpayment was established. The proper payment rate would be lower and the overpayment rate would be higher if these cases were counted as erroneous payments.

Gambling Control Board

Notice of Membership of Public Advisory Committee to Assist the Minnesota Gambling Control Board in the Promulgation of Rules Governing Gambling Managers

NOTICE IS HEREBY GIVEN that the Minnesota Gambling Control Board has formed a Public Advisory Committee (PAC) to offer assistance to the Board in drafting rules governing Gambling Managers. This PAC consists of Brad Johnson, David Kline, King Wilson, Roger Swanson, T. David Williams, Maureen Vachuska, David Nelmark, and Kris Schweinler. Also participating in the PAC are Gambling Control Board Rules Committee Chair, Mary McLeod, Gambling Control Board members Allan Fonfara and Peggy Moon, Gambling Control Board staff Harry Baltzer, Nan Connor, Sharon Beighley, Chris Mau and Steve Pedersen, and Assistant Attorney General E. Joseph Newton.

Written or oral comments regarding the membership of the PAC may be directed to:

Sharon Beighley, Rules Program Coordinator
Minnesota Gambling Control Board
1711 W County Road B #300S
Roseville, MN 55113
Telephone: 612-639-4091

Dated: 8 June 1995

Harry W. Baltzer, Executive Director
Minnesota Gambling Control Board

Gambling Control Board

Notice of Membership of Public Advisory Committee to Assist the Minnesota Gambling Control Board in the Promulgation of Rules Governing Bingo

NOTICE IS HEREBY GIVEN that the Minnesota Gambling Control Board has formed a Public Advisory Committee (PAC) to offer assistance to the Board in drafting rules governing bingo. This PAC consists of Mary Magnuson, Roger Franke, Leeann Klimek, Karen Wirkus, Ken Lien, Bonnie Althaus, Dan Kelly, Jellie Crowe-Ring, Bud Weber, Steven Baker, Vic Grell, Jr., Valerie Siegrist, King Wilson, Harry Burns II, Robert Matson, Roger Swanson, Mark Plasha and Danna Shofner. Also participating in the PAC are Gambling Control Board Rules Committee Chair, Mary McLeod, Gambling Control Board members Allan Fonfara and Peggy Moon, Gambling Control Board staff Harry Baltzer, Sharon Beighley, Mike Strauss and Warren Walberg, and Assistant Attorney General Beth Richter.

Health Licensing Boards

Proposed Permanent Rules Relating to Infection Control by the Board of Chiropractic Examiners, the Board of Dentistry, the Board of Medical Practice, the Board of Nursing, and the Board of Podiatric Medicine

DUAL NOTICE:

Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Introduction. The Minnesota Boards of Chiropractic Examiners, Dentistry, Medical Practice, Nursing, and Podiatric Medicine intend to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by July 31, 1995, a public hearing will be held on September 8, 1995. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the boards' contact person after July 31, 1995 and before September 8, 1995.

Boards' Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Frank Fly, Administrative Rules Writer
Infection Control Program
2700 University Avenue West, Suite 40
St. Paul, Minnesota 55114
Telephone: 612-642-0402

Subject of Rule and Statutory Authority. The proposed rule is about standards for HBV and HIV infection control procedures. The statutory authority to adopt the rule is *Minnesota Statutes*, section 214.24, subdivision 4. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on July 31, 1995 to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by the boards' contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the boards' contact person by 4:30 p.m. on July 31, 1995. Your written request for a public hearing must include your name, address, and telephone number. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing.

Modifications. The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as printed in the *State Register* and must be supported by data and views submitted to the boards or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for September 8, 1995 will be canceled if the boards do not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the boards will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Frank Fly at 612-642-0402 after July 31, 1995 to find out whether a hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on September 8, 1995 in Conference Room A of the Colonial Office Building, 2700 University Ave. West, St. Paul beginning at 8:30 a.m. and will continue until all

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Steve Mihalchick. Judge Mihalchick can be reached at the Office of Administrative Hearings, 1700 100 Washington Square, Minneapolis 55401; telephone 612-349-2544.

Hearing Procedure. If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the boards may respond in writing within five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the boards' contact person. This statement describes the need for and reasonableness of each provision of the proposed rule. It also includes a summary of all the evidence and argument which the boards anticipate presenting at the hearing, if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

Small Business Considerations. *Minnesota Statutes*, section 14.115, subdivision 2 requires that when an agency proposes a new or amended rule which may affect small businesses, it must consider methods for reducing the impact of the rule on small businesses and document how it has considered these methods and the results. Subdivision 4 requires the agency to provide an opportunity for small businesses to participate in the rulemaking process.

The boards' position is that the requirements of section 14.115 do not apply to the proposed rule, because subdivision 7, clause (2) provides that the section does not apply to agency rules that do not affect small business directly. The boards' authority relates only to the qualifications of health professionals to provide health services; the boards have no authority over the businesses in which they practice. Therefore the proposed rule does not affect businesses as such, and the boards are exempt from the requirements of section 14.115.

The issue of small business considerations is addressed in the statement of need and reasonableness.

Expenditure of Public Money by Local Public Bodies. *Minnesota Statutes*, section 14.11, subdivision 1 requires that if the adoption of a rule by an agency will require the expenditure of public money by local public bodies, the appropriate notice of the agency's intent to adopt a rule shall be accompanied by a written statement giving the agency's reasonable estimate of the total cost to all local public bodies.

It is the boards' position that the proposed rule will not require the expenditure of public money by local public bodies.

The issue of expenditure of public money by local public bodies is addressed in the statement of need and reasonableness.

Impact on Agricultural Lands. *Minnesota Statutes*, section 14.11, subdivision 2 requires that if an agency proposing the adoption of a rule determines that the rule may have a direct and substantial adverse impact on agricultural land in the state, the agency shall comply with the requirements of sections 17.80 to 17.84.

The boards' position is that the proposed rule will not have a direct and substantial adverse impact on agricultural land in the state.

The issues of impact on agricultural land is addressed in the statement of need and reasonableness.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at 100 Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155; telephone 612-296-5148.

Adoption Procedure if No Hearing. If no hearing is required, after the end of the comment period the boards may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you want to be so notified, or wish to receive a copy of the adopted rule, submit your request to the boards' contact person listed above.

Adoption Procedure After the Hearing. If a hearing is held, after the close of the hearing record, the administrative law judge will issue a report on the proposed rule. You may request to be notified of the date on which the administrative law judge's report will be available, after which date the boards may not take any final action on the rule for a period of five working days. If you want

Written or oral comments regarding the membership of the PAC may be directed to:

Sharon Beighley, Rules Program Coordinator
Minnesota Gambling Control Board
1711 W County Road B #300S
Roseville, MN 55113
Telephone: 612-639-4091

Dated: 8 June 1995

Harry W. Baltzer, Executive Director
Minnesota Gambling Control Board

Gambling Control Board

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Gambling Managers (*Minnesota Rules 7861.0030*)

NOTICE IS HEREBY GIVEN that the Minnesota Gambling Control Board (Board) is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing Gambling Managers. The adoption of the rule is authorized by *Minnesota Statutes*, section 349.151, subdivision 4(a), clause (1), which authorizes the Board to regulate lawful gambling to ensure that it is conducted in the public interest; clause (5), which authorizes the Board to make rules authorized by chapter 349; and clause (17) which authorizes the Board to take all necessary steps to ensure the integrity of and public confidence in lawful gambling. *Minnesota Rules 349.167*, subd. 4(2) authorizes the Board to adopt rules governing continuing education training for Gambling Managers.

The proposed rule amendments require Gambling Managers to take continuing education classes during the term of their license, and pass a Gambling Manager examination as required by law. The amendments also deal with emergency Gambling Manager issues, make statutorily mandated changes in the license term for Gambling Managers, make changes to license application contents and attachments for Gambling Managers, and set forth license issuance, denial, and renewal requirements in keeping with state law and other rules of the Board.

The types of groups and individuals likely to be affected by the proposed rule amendments include licensed Gambling Managers, potential applicants for licensure as a Gambling Manager and lawful gambling organizations.

The Board requests information and opinions concerning the subject matter of the proposed rule. Interested persons or groups may submit data or views orally or in writing. Written or oral comments should be directed to, and drafts of the proposed rule amendments may be obtained from:

Sharon Beighley, Rules Program Coordinator
Minnesota Gambling Control Board
1711 West County Road B Suite 300S
Roseville, MN 55113
Telephone: 612-639-4091

Oral statements will be received during regular business hours, 8:00 AM to 4:30 PM, Monday through Friday.

All statements of information and opinion will be accepted until further notice. Any written materials received by the Board shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rules are adopted.

Dated: 8 June 1995

Harry W. Baltzer, Executive Director
Minnesota Gambling Control Board

Gambling Control Board

Notice of Intent to Solicit Outside Information Regarding Proposed Rules Governing Bingo

NOTICE IS HEREBY GIVEN that the Minnesota Gambling Control Board (Board) is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing bingo. The adoption of the rules is authorized by *Minnesota Statutes*, section 349.151, subdivision 4, clause (5), which authorizes the Board to promulgate rules authorized by Chapter 349.

The proposed rule amendments involve changes to *Minnesota Rules* 7861.0010 (Definitions), *Minnesota Rules* 7861.0060 (Conduct of Lawful Gambling), *Minnesota Rules* 7861.0070 (Bingo), *Minnesota Rules* 7863.0020 (Distributor Operations, Accounts, and Reports), *Minnesota Rules* 7864.0030 (Manufacturer Operations, Accounts, and Reports), and *Minnesota Rules* 7862.0010 (Bingo Hall Licenses). The proposed rule amendments will incorporate statutory changes made during the 1994 and 1995 legislative sessions; clarify the difference between leased and owned premises in regard to the conduct of gambling; clarify the contents of lease agreements for the conduct of bingo; clarify restrictions on the conduct of bingo; clarify rules regarding equipment to be used in the conduct of bingo; clarify the manner in which organizations conduct bingo occasions; clarify the rules governing prizes won at bingo occasions; amend the rules governing records and reports by organizations conducting bingo; make technical changes in the rules governing breakopen bingo; make technical changes in the rule governing registration of lawful gambling equipment by licensed distributors; make changes in the recording and reporting requirements for licensed distributors; make changes in the rules governing the manufacture of lawful gambling equipment; make changes in the recording and reporting requirements for licensed manufacturers; make changes to the licensing and qualification requirements for bingo hall licensees; clarify restrictions on bingo hall licensees; make changes to the content of the application to be filed for a bingo hall license and the attachments required to be filed with a bingo hall license application; clarify the rules governing changes in bingo hall license application information and bingo hall licenses fees; promulgation of a rule governing background investigations for bingo hall licenses; clarify the license issuance and denial rules for bingo hall licenses; clarify the license effective date and license renewal requirements for bingo hall licenses; promulgation of a rule regarding license termination for bingo hall licenses; and promulgation of a rule governing recording and reporting requirements for bingo hall licensees.

The types of groups and individuals likely to be affected by the proposed rule amendments include lessors of premises for the conduct of lawful gambling, lawful gambling organizations, distributors and manufacturers of lawful gambling equipment, and bingo hall owners and operators.

The Board requests information and opinions concerning the subject matter of the proposed rule. Interested persons or groups may submit data or views orally or in writing. Written or oral comments should be directed to, and drafts of the proposed rule amendments may be obtained from:

Sharon Beighley, Rules Program Coordinator
Minnesota Gambling Control Board
1711 West County Road B Suite #300S
Roseville, MN 55113
Telephone: 612-639-4091

Oral statements will be received during regular business hours, 8:00 AM to 4:30 PM, Monday through Friday.

All statements of information and opinion will be accepted until further notice. Any written materials received by the Board shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rules are adopted.

Dated: 8 June 1995

Harry W. Baltzer, Executive Director
Minnesota Gambling Control Board

Department of Health

Facility and Provider Compliance Division

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendment of *Minnesota Rules* Parts 4665.0100 to 4665.9900, Governing Supervised Living Facilities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or opinions from sources outside the Department in preparing to propose the amendment of *Minnesota Rules* governing Supervised Living Facilities, parts 4665.0100 to 4665.9900. The adoption of the rules is authorized by *Minnesota Statutes*, section 144.56.

This notice was originally published in the May 1, 1995 *State Register* (19 S.R. 2166), and the May 15, 1995 *State Register* (19 S.R. 2251), and is amended and being republished to comply with *Laws of Minnesota 1995*, Chapter 233, Article 2, Section 11, which enacts *Minnesota Statutes*, section 14.101.

Each facility licensed as a Supervised Living Facility (SLF) also has a program licensed by the Minnesota Department of Human Services. During the course of the rule amendment process the following issues may be considered: 1. elimination of confusing or contradictory licensing processes and rules; 2. elimination of duplicative rules; and 3. streamlining licensing where possible.

The types of groups and individuals likely to be affected are nursing home and boarding care home residents, providers of services in and owners of SLFs, state agency staff who inspect these licensed facilities for compliance with these rules, and consumer representatives and advocates.

The Minnesota Department of Health will form an advisory task force to aid in the development of the rule amendments. Representation on the task force will include staff of SLFs, provider organizations, consumer or ombudsman organizations, professional associations, state agency staff, and other interested parties. It is anticipated that this advisory task force will meet periodically during the summer and fall of 1995. The Department anticipates that the rule amendment adoption process will take approximately 12 months.

The Minnesota Department of Health requests information and opinions concerning the subject matter of the rules. Interested person or groups may submit data or views on the subject matter in writing or orally. Written statements should be addressed to:

Maggie Friend
Facility and Provider Compliance Division
Minnesota Department of Health
393 North Dunlap Street
P.O. Box 64900
Saint Paul, MN 55164-0900

Oral statements will be received during regular business hours over the telephone at (612) 643-3615 and in person at the above address. Drafts of any proposals of revisions to the rules may be obtained from the above address and telephone number.

All statements of information and opinions will be accepted until a Notice of Hearing or Notice of Intent to Adopt A Rule Without A Public Hearing is published in the *State Register*. Any written material received by the Minnesota Department of Health will become part of the rulemaking record to be submitted to the administrative law judge in the event that the rules are amended.

Dated: 12 June 1995

Anne M. Barry, Acting Commissioner
Minnesota Department of Health

Department of Health

Facility and Provider Compliance Division

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendment of *Minnesota Rules* Chapter 4655, Operation of Nursing Homes and Boarding Care Homes, and Chapter 4660, Physical Plant of Nursing Homes and Boarding Care Homes

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or opinions from sources outside the Department in preparing to propose the amendment of *Minnesota Rules* governing the operation and physical plant of nursing homes (NHs) and boarding care homes (BCHs), Chapters 4655 and 4660. The adoption of the rules is authorized by *Minnesota Statutes*, section 144.56.

This notice was originally published in the November 18, 1991 *State Register* (16 S.R. 1230), and is amended and being republished to comply with *Laws of Minnesota 1995*, Chapter 233, Article 2, Section 11, which enacts *Minnesota Statutes*, section 14.101.

Part of the rule revision process has involved the separation of the licensing rules for nursing homes and boarding care homes. The nursing home licensing rules are being moved to the new *Minnesota Rules*, Chapter 4658. The boarding care home licensing rules remain in Chapters 4655 and 4660. The Notice of Adoption of rules relating to dietary and food services for nursing homes was published in the February 27, 1995 *State Register* (19 S.R. 1803). Those rules became effective May 28, 1995. A Notice of Hearing on proposed rules relating to licensing, administration, and health services in nursing homes was published in the October 17, 1994 *State Register* (19 S.R. 785). A hearing on those proposed rules was held November 21, 1994; the Notice of Adoption of Rules will be published prior to August 15, 1995. Rules relating to resident services and physical plant are expected to be promulgated within the next 12 months.

The types of groups and individuals likely to be affected are nursing home and boarding care home residents, providers of services in, administrators, and owners of nursing homes and boarding care homes, health care professionals, state agency staff who inspect these licensed facilities for compliance with these rules, and consumer representatives and advocates.

The Minnesota Department of Health has formed an advisory task force to aid in the development of the rule amendments. Representation on the task force include staff of NHs and BCHs, provider organizations, consumer or ombudsman organizations, professional associations, state agency staff, and other interested parties. The advisory task force has met periodically since November 1991. The Department anticipates that the rule amendment adoption process will take approximately 12 more months.

The Minnesota Department of Health requests information and opinions concerning the subject matter of the rules. Interested person or groups may submit data or views on the subject matter in writing or orally. Written statements should be addressed to:

Maggie Friend
Facility and Provider Compliance Division
Minnesota Department of Health
393 North Dunlap Street
P.O. Box 64900
Saint Paul, MN 55164-0900

Oral statements will be received during regular business hours over the telephone at (612) 643-3615 and in person at the above address. Drafts of any proposals of revisions to the rules may be obtained from the above address and telephone number.

All statements of information and opinions will be accepted until a Notice of Hearing or Notice of Intent to Adopt A Rule Without A Public Hearing is published in the *State Register*. Any written material received by the Minnesota Department of Health will become part of the rulemaking record to be submitted to the administrative law judge in the event that the rules are amended.

Dated: 12 June 1995

Anne M. Barry, Acting Commissioner
Minnesota Department of Health

Department of Human Services

Health Care Division

Public Notice Regarding Changes in the Medical Assistance (MA) Program, the General Assistance Medical Care Program (GAMC), and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients and providers of services under the Medical Assistance (MA), General Assistance Medical Care (GAMC), and the MinnesotaCare programs, and to the public, of certain changes affecting the above programs that were enacted by the 1995 Minnesota Legislature. This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in its methods and standards for payment rates for services. The changes to the MA Program are expected to result in a net decrease in MA Program expenditures of \$13,276,000 for state fiscal year 1996 and a net increase of \$10,435,000 for state fiscal year 1997.

The actual text of these changes are contained in *1995 Minnesota Session Laws*, at the chapters cited below. *Minnesota Session Laws* are available at most libraries. Also, you may obtain a copy of any of the bills summarized in this notice by calling the House or Senate Index at (612) 296-6646 or (612) 296-0504. It is important to note that not all changes made to these programs by the 1995 Legislature are mentioned in this notice. For example, only eligibility changes that are considered of interest to providers are represented in this notice.

Information related to implementation of these provisions will be sent to local human services agencies through instructional and informational bulletins and manual updates, to MA, GAMC, and MinnesotaCare enrollees through written notice, and to health care providers through newsletters and updates to the provider manuals.

Changes were made in the following areas:

- I. MA and GAMC Eligibility
- II. MA, GAMC and MinnesotaCare Services
- III. MA, GAMC and MinnesotaCare Payment Rates
- IV. Services and Payment Rates related to MA Long Term Care Coverage
- V. Changes to Services and Rates related to MA Home and Community-based Waivers.
- VI. MinnesotaCare Health Care Reform Waiver
- VII. Changes Related to Health Care Service Delivery Initiatives
- VII. Other

I. MA, GAMC and MinnesotaCare Eligibility

- Effective January 1, 1996, the MA eligibility category known as the "TEFRA Option" or "TEFRA" is amended to further define the level of care that is required in order to obtain eligibility under this option. "TEFRA" is an eligibility category in MA for disabled children who would reside in a hospital, nursing facility, or intermediate care facility for persons with mental retardation if not for the provision of medical services under this option. Chapter 207, article 6, §27.
- Effective July 1, 1995, the department of human services (DHS) is required to amend three home and community-based waivers to adopt MA eligibility methodologies for non-institutionalized married couples when one member of the couple is receiving home and community based waived services. These waivers are: Community Alternatives for Disabled Individuals (CADI), Community Alternative Care (CAC) and the Traumatic Brain Injury (TBI) waiver. Chapter 207, article 6, §87.
- Effective July 1, 1995, DHS must seek a federal waiver to establish an MA earned income disregard for employed disabled persons who are eligible for RSDI and who receive personal care assistant (PCA) services under MA. Chapter 178, article 2, §46.
- Effective October 1, 1995, DHS may expand the definition of "eligible persons" under the MinnesotaCare program to include individuals and households with no children who have gross family incomes that are equal to or less than 135 percent of the federal poverty guidelines, and who are not eligible for MA without a spenddown. This expansion may only occur if the estimated expenditures in MinnesotaCare remain within the limits of available revenues for the remainder of the current biennium and for the following biennium. Chapter 234, article 6, §9.
- Requires the commissioners of health and human services to make preliminary recommendations to the Legislature by October 1, 1995 and final recommendations by February 1, 1996, on whether a further expansion of the definition of "eligible persons" under the MinnesotaCare Program to include all individuals and households with no children who have incomes

Official Notices

equal to or less than 150 percent of federal poverty would be allowed under the financial management constraints outlined in chapter 234, article 6, §3. Chapter 234, article 6, §9.

II. MA, GAMC and MinnesotaCare Services

- Effective July 1, 1995, the commissioner is required to seek necessary waiver amendments to home and community-based waiver programs to provide services to persons who, due to the inability to direct their own care, are no longer eligible for personal care assistant services but are eligible for the community alternatives for disabled individuals (CADI), community alternative care (CAC), mental retardation or related conditions (MR/RC), traumatic brain injury (TBI), or elderly waivers. Those recipients who transfer from personal care services to home and community-based waiver programs shall not be denied personal care services until waived services are available.

Notwithstanding provisions in administrative rule, resources for home and community-based services for persons with mental retardation or related conditions made available to provide alternative services for persons affected by the PCA restructuring, shall be allocated based on criteria that considers the assessed needs and home care authorization levels of persons affected by the restructuring and provides preference to these persons during the allocation process. Chapter 207, article 1, §2.

- Effective July 1, 1995, *Minnesota Statutes* 1994, §256.045 regarding human services appeals is amended to clarify that vendors of medical care may assist a recipient in filing a human services appeal, and may provide assistance to the recipient during the appeal hearing. Also, the commissioner is required to provide evidence prior to or at a human services appeal, and may not submit evidence after the hearing unless by agreement of the parties. Chapter 207, article 2, sections 27 to 30.
- Effective January 1, 1996, the assessment and prior authorization process for persons receiving both MA home care and home and community-based waived services for persons with mental retardation or related conditions shall meet the requirements of this section and section 256B.0627, with the following exceptions: (a) The public health nurse shall participate in the screening process, and if home care services are determined to be necessary, participate in the development of a service plan coordinating the need for home care and home and community-based waived services with the assigned county case manager, the recipient, and the recipient's legal representative. (b) the public health nurse shall give prior authorization for home care services to the extent that services are medically necessary, chosen by the recipient from available services, coordinated with other services in the service plan, and provided within the county's reimbursement limits for home care and MR/RC waived services. (c) If the public health agency is or may be the provider of home care services to the recipient, the public health agency shall provide the commissioner with a written plan that specifies how the assessment and prior authorization process will be separate and distinct from the provision of services. Chapter 207, article 3, §18.
- Effective July 1, 1995, the commissioner may authorize up to five projects to provide crisis intervention through community-based services in the private or public sector to persons with developmental disabilities. The parameters of these projects may be consistent with the special needs crisis services outline in *Minnesota Statutes*, §256B.501, subd. 8a. Chapter 207, article 3, §22.
- Effective July 1, 1995, the program for the purchase of insurance coverage for persons with AIDS and HIV is amended to authorize the commissioner to purchase group or individual coverage for as long as maintaining the coverage is cost-effective. The commissioner may purchase group coverage for an individual if the individual is responsible for at least 50% of the cost of the premium. The commissioner shall not pay for that portion of a premium that is attributable to other family members or dependents. The commissioner is also authorized to purchase the most cost-effective coverage available for individuals eligible for this program. Chapter 207, article 6, §13.
- Effective July 1, 1995, *Minnesota Statutes*, §256.9685 is amended to further define the process for judicial review of a commissioner's order regarding payment for inpatient hospital services. A hospital or physician aggrieved by an order under §256B.9685, subd. 1b may appeal the order to the district court of the county in which the physician or hospital is located by: serving a written copy of a notice of appeal upon the commissioner within 30 days after the date the commissioner issued the order; and filing the original notice of appeal and proof of service with the court administrator of the district court. The appeal shall be treated as a dispositive motion under the Minnesota General Rules of Practice, rule 115. The district court scope of review shall be as set forth in *Minnesota Statutes*, §14.69. Within 30 days after being served with the notice of appeal, the commissioner shall transmit to the district court the original or certified copy of the entire record considered by the commissioner in making the final agency decision. The district court shall not consider evidence that was not included in the record before the commissioner. Chapter 207, article 6, §§16, 17 and 19.
- Effective July 1, 1995, an exception is created to the law requiring payment for medical assistance services provided to treat an emergency medical condition for persons who do not meet the citizenship requirements of the MA Program. The exception prohibits payment for organ transplants and related care and services for these individuals. Chapter 207, article 6, §38.
- Effective July 1, 1995, *Minnesota Statutes*, §256B.0625, subd. 5 is amended to define "community mental health center" for purposes of participation in the MA Program. Chapter 207, article 6, §39.

- Effective July 1, 1995, *Minnesota Statutes*, §256B.0625, subd. 13 is amended to clarify that MA pays for covered drugs prescribed and dispensed by a physician or nurse practitioner employed by or under contract with a community health board for the purposes of communicable disease control. Chapter 207, article 6, §42.
- Effective July 1, 1995, *Minnesota Statutes*, §256B.0625, subd. 13a is amended to change the Drug Utilization Review (DUR) Board from a 12 member board to a 9 member board. The board will be comprised of at least 3 but no more than 4 licensed physicians actively practicing medicine in Minnesota; at least three licensed pharmacists actively engaged in the practice of pharmacy; and one consumer representative. The remaining members shall be other health care professionals. Members of the board who are medical professionals shall be selected from lists submitted by professional associations. A \$50 honorarium shall be paid per meeting to each board member in attendance. Chapter 207, article 6, §43.
- Effective July 1, 1995, *Minnesota Statutes*, §256B.0625, subd. 17 is amended regarding MA coverage for special transportation. The amendment requires that a physician order for such transportation services must certify that the recipient is so mentally or physically impaired as to be unable to safely access and use a bus, taxi, other commercial transportation, or private automobile. Chapter 207, article 6, §44.
- Effective July 1, 1995, *Minnesota Statutes*, §256B.0625, subd. 18 is amended to provide that MA covers the most appropriate and cost-effective form of transportation for the purposes of obtaining nonemergency medical care for ambulatory persons. Chapter 207, article 6, §45.
- Effective May 26, 1995, MA providers who administer pediatric vaccines within the scope of their licensure, and who are enrolled as MA providers, must enroll in the pediatric vaccine administration program established by the Omnibus Budget Reconciliation Act of 1993. MA does not pay for vaccines that are available at no cost from the pediatric vaccine administration program. Chapter 207, article 6, §50.
- Effective July 1, 1995, for persons infected with tuberculosis, MA covers case management services and direct observation of the intake of drugs prescribed to treat tuberculosis. The amendment defines the scope of coverage for these additional services. Chapter 207, article 6, §51.
- Effective July 1, 1995, emergency GAMC services that may be covered for an undocumented alien or nonimmigrant includes services rendered because of suspected or actual pesticide poisoning. Chapter 207, article 6, §104.
- Effective July 1, 1995, the commissioner is required to establish a task force on required supporting documentation for requests for prior authorization for physical therapy, occupational therapy, speech therapy, or related services. The task force is comprised of one licensed psychiatrist, one licensed physical therapist, one licensed occupational therapist, one licensed speech therapist, one licensed rehabilitation nurse, and one consumer representative. All licensed professional members shall be selected from lists submitted by the appropriate professional associations. The task force shall study the lists of items that are required to be submitted by each category of provider along with the provider's request for prior authorization. The task force shall recommend amendments or refinements to clarify the lists. The commissioner shall use the recommendations of the task force to develop standardized documentation which a provider must submit with a prior authorization request. If the commissioner intends to depart from the recommendations, the commissioner shall inform the task force of the intended departure, provide a written explanation of the reasons for the departure, and give the task force an opportunity to comment on the intended departure. Chapter 207, article 6, §113.
- By January 15, 1996, the Minnesota Health Care Commission is required to report to the Legislature recommendations to improve coverage through private health plans, the Minnesota Comprehensive Health Association, and other public or private programs for children and adults with disabilities. Chapter 207, article 6, §122.
- Effective upon receipt of federal approval and publication of such approval in the *State Register*, MA covers state-operated, community-based crisis services provided in accordance with *Minnesota Statutes*, §252.50, subd. 7 to a resident of an intermediate care facility for persons with mental retardation (ICF/MR). The section sets forth the scope of coverage for these services. Payment rates for these services are determined annually for each crisis service provider based on the cost of care as defined in *Minnesota Statutes*, 246.50. Chapter 207, article 7, §40.
- Effective July 1, 1995, the laws governing children's mental health collaboratives are amended, with respect to the MA Program, as follows. A collaborative may contract with the commissioner to become an MA provider of mental health services according to *Minnesota Statutes*, §245.4933. In order for a children's mental health collaborative to become a prepaid provider of MA services and be eligible to receive MA reimbursement, the collaborative must contract with the commissioner to provide mental health services, meet all applicable federal requirements, either carry stop-loss insurance or enter a risk-sharing agreement with the commissioner, and provide medically necessary MA mental health services to children enrolled in the collaborative. Upon contracting with the commissioner, the collaborative may provide mental health services in addition to mental health services listed in Minnesota's MA state plan, and may enter into subcontracts with other providers of mental health services, including prepaid health plans established under *Minnesota Statutes*, §256B.69.

Official Notices

A collaborative may serve children enrolled in a prepaid health plan under contract with the commissioner by contracting with one or more such plans to provide MA or MinnesotaCare mental health services to children enrolled in the health plan. The collaborative and the health plan are required to work cooperatively to ensure integration of physical and mental health services.

A collaborative may provide prepaid MA or MinnesotaCare mental health services to children who are not enrolled in prepaid health plan until those children are enrolled.

The commissioner is required to provide collaboratives that are considering whether to become a prepaid provider of mental health services with estimated capitated payment rates prior to an actuarial study based upon the collaboratives' operation target population. Capitation payment rates shall be adjusted annually, if necessary, for changes in the operational target population.

A collaborative that does not become a prepaid provider of MA or MinnesotaCare services may provide services through individual members of the collaborative who are MA enrolled providers to eligible recipients who are not enrolled in the health plan.

A collaborative may become an MA provider for the purpose of obtaining prior authorization and for providing individualized rehabilitation services.

With regard to children's mental health collaboratives, the commissioner's responsibilities are as follows. The commissioner is required to assist collaboratives in determining an actuarially feasible operational target population. The commissioner must ensure that a prepaid health plan under contract to provide MA or MinnesotaCare services must pass through the identified resources to collaboratives meetings requirements of section 245.4933 to serve their operational target populations. The commissioner must specify differential rates the health plan must pay the collaborative based upon severity, functioning, and other risk factors, taking into consideration the fee-for-service experience of children excluded from participation in the Prepaid Medical Assistance Program. The amendments set forth other obligations of the commissioner and the collaboratives. Chapter 207, article 8, §§ 13-28.

- Effective upon federal approval, MA covers individualized rehabilitation services as defined in section 245.492, subd. 23, that are provided by a collaborative, county, or an entity under contract with a county through an integrated service system, as described in section 245.4931. Chapter 207, article 8, §33.
- Effective July 1, 1995, MA does not cover fertility drugs when specifically used to enhance fertility. Chapter 178, article 2, §26.
- Effective July 1, 1995, GAMC does not cover gender reassignment surgery and related services, unless the individual began receiving gender reassignment services prior to July 1, 1995. Chapter 178, article 2, §28.
- Effective July 1, 1995, marriage and family therapists may not be reimbursed under MA, except to the extent such care is reimbursed under section 256B.0625, subd. 5, or when marriage and family therapists are employed by a managed care organization with a contract to provide mental health care to MA enrollees, and are reimbursed through the managed care organization. Chapter 234, article 8, §46.
- The commissioner is required to seek federal approval to add the benefit of drug coverage for qualified Medicare beneficiaries with incomes up to 150 percent of federal poverty and to charge a copayment for this benefit. If federal approval is obtained, the commissioner shall report to the Legislature and present draft legislation expanding the qualified Medicare beneficiary program to the Legislature for approval. Chapter 234, article 6, §45.

III. MA, GAMC and MinnesotaCare Payments and Payment Rates

- Beginning January 1, 1996, rates for chemical dependency treatment services provided according to *Minnesota Statutes*, chapter 254B shall be the same as those rates negotiated according to *Minnesota Statutes*, §254B.03, subd. 1, paragraph (b), and effective January 1, 1995. Rates for vendors under *Minnesota Statutes*, chapter 254B, who are enrolled after January 1, 1995, shall not be higher than the statewide average rate for vendors licensed at the same level of care. Counties and providers shall not negotiate an increase in rates between January 1, 1995, and December 31, 1997. Chapter 207, article 1, §2.
- For services rendered on or after July 1, 1995, the commissioner shall ratably reduce GAMC payments for all services except pharmacy services by 4 percent. Chapter 207, article 1, §2.
- The commissioner shall adjust the MA hospital cost index under *Minnesota Statutes*, §256.969., subd. 1, for admissions occurring on or after July 1, 1995 to recover payments under both MA and GAMC made to hospitals in prior years in which project inflation exceeded actual inflation. The adjustment shall be determined by the commissioner and established at a level sufficient to recover the difference between projected inflation and actual inflation for rate years 1990 to 1992 by June 30, 1997. Chapter 207, article 1, §2.

- For prepaid MA and GAMC, rates for rate years through December 31, 1998, shall, in the aggregate for each program in expansion counties after July 1, 1995, include an effective 10 percent discount for individuals under age 65, and an effective 5 percent discount for persons age 65 and older, compared with expected fee-for-service costs for the same population. Chapter 207, article 1, §2.
- Effective July 1, 1995, the reimbursement rate for mental health care management services provided by counties under *Minnesota Statutes*, §§245.4881 and 256B.0625 for children with severe emotional disturbance is \$45. Chapter 207, article 1, §2.
- Effective October 1, 1995, the hospital and HMO surcharge must be based on revenues earned in the previous calendar year. Chapter 207, article 6, §15.
- Effective each rate year after July 1, 1995, the MA hospital cost index shall be the change in the Consumer Price Index-All Items (United States city average) (CPI-U) forecasted by Data Resources, Inc. The commissioner shall use the indices as forecasted in the third quarter of the calendar year prior to the rate year. No inflation adjustment is provided under the GAMC Program for inpatient hospital services for the 1996/97 biennium. Chapter 207, article 6, §19.
- Inpatient hospital rates under the GAMC Program shall not be rebased to more current data on January 1, 1997. Chapter 207, article 6, §20.
- For inpatient hospital services under MA and GAMC, except as provided in §256.969, subd. 13, for admissions occurring on or after July 1, 1995, payment shall be determined as follows and shall be included in the base year for rate setting purposes. (1) For an admission that is categorized to a neonatal diagnostic related group in which the length of stay is less than 50 percent of the average length of stay for the category in the base year and the patient at admission is equal to or greater than the age of one, payments shall be established according to the methods established under §256.969, subd. 14. (2) For an admission that is categorized to a diagnostic category that includes neonatal respiratory distress syndrome, the hospital must have a level II or level III nursery and the patient must receive treatment in that unit or payment will be made without regard to the syndrome condition. Chapter 207, article 6, §21.
- Effective July 15, 1995, for a hospital that had MA fee-for-service payment volume during calendar year 1991 in excess of 13 percent of total MA fee-for-service payment volume, an MA disproportionate population adjustment shall be paid in addition to any other disproportionate payment due under this subdivision as follows: \$1,515,000 due on the 15th of each month after noon, beginning July 15, 1995. For a hospital that had MA fee-for-service payment volume during calendar year 1991 in excess of 8 percent of total MA fee-for-service payment volume and is affiliated with the University of Minnesota, an MA disproportionate population adjustment shall be paid in addition to any other disproportionate payment due under this subdivision as follows: \$505,000 due on the 15th of each month after noon, beginning July 15, 1995. Chapter 207, article 6, §22.
- *Minnesota Statutes*, §256.969 is amended to provide that for inpatient hospital admissions occurring on or after April 1, 1995, a long-term hospital as designated by Medicare that does not have admissions in the base year shall have inpatient rates established at the average of other hospitals with the same designation. For subsequent rate-setting periods in which base years are updated, the hospital's base year shall be the first Medicare cost report filed with the long-term hospital designation and shall remain in effect until it falls within the same period as other hospitals. Chapter 207, article 6, §25.
- Effective July 1, 1995, §256B.0625, subd. 8 is amended to provide that services provided by a physical therapy assistant shall be reimbursed at the same rate as services performed by a physical therapist when the services of the physical therapy assistant are provided under the direction of a physical therapist who is on the premises. Services provided by a physical therapy assistant that are provided under the direction of a physical therapist who is not on the premises shall be reimbursed at 65 percent of the physical therapist rate. Chapter 207, article 6, §40.
- Effective July 1, 1995, §256B.0625, subd. 8a is amended to provide that services provided by an occupational therapy assistant shall be reimbursed at the same rate as services performed by an occupational therapist when the services of the occupational therapy assistant are provided under the direction of the occupational therapist who is on the premises. Services provided by an occupational therapy assistant that are provided under the direction of an occupational therapist who is not on the premises shall be reimbursed at 65 percent of the occupational therapist rate. Chapter 207, article 6, §41.
- Effective July 1, 1995, the MA and GAMC pharmacy dispensing fee shall be \$3.85. The MinnesotaCare program pharmacy dispensing fee remains at \$4.10. Chapter 207, article 1, §2 and article 6, §42.
- Effective July 1, 1995, the MA, GAMC and Minnesota actual acquisition cost of a drug shall be estimated by the commissioner, at average wholesale price minus nine percent. Chapter 207, article 6, §42.
- Effective July 1, 1995, a copayment of \$1 per prescription shall be required under the MA and GAMC programs. A copayment shall not be required of children, pregnant women through the post partum period, recipients whose only available income is a personal needs allowance in the amount established under section 256B.35 or 256B.36, recipients residing in a

Official Notices

setting which receives funding under sections 256I to 256I.06, or institutionalized recipients or, under MA only, from any other persons required to be exempted under federal law. A copayment shall not be required for family planning services or supplies, psychotropic drugs or emergency services. A provider may not deny a prescription to a recipient because the recipient is unable to pay the copayment. A lower copayment shall be collected, under MA only, up to the maximum permitted by federal law, for prescriptions on which federal law prohibits a \$1 copayment. The amount of the copayment shall be subtracted from the payment for pharmacy services under *Minnesota Statutes*, §256B.0625, subd. 13. Copayments under this section do not apply to the MinnesotaCare program. Chapter 207, article 6, §44.

- Effective July 1, 1995, MA reimbursement for meals for persons traveling to receive medical care may not exceed \$5.50 for breakfast, \$6.50 for lunch, or \$8 for dinner. MA payment for lodging for persons traveling to receive medical care may not exceed \$50 per day unless prior authorized by the local agency. MA payment for mileage costs to receive medical care may not exceed 20 cents per mile. Chapter 207, article 6, §47.
- Effective July 1, 1995, MA payment for covered mental health services that are provided by masters-prepared mental health professionals shall be 80 percent of the rate paid to doctoral-prepared professionals. Payments for covered mental health services that are provided by masters-prepared mental health professionals employed by community mental health centers shall be 100 percent of the rate paid to doctoral-prepared professionals. Chapter 207, article 6, §49.
- Effective May 26, 1995, MA shall pay \$8.50 per dose for administration of pediatric vaccines to MA eligible children. MA does not pay for vaccines that are available at no cost from the pediatric vaccine administration program. Chapter 207, article 6, §50.
- Effective October 1, 1995, payments required under §256B.19, subd. 1b regarding the portion of the nonfederal share of MA to be paid by government hospitals shall be based on revenues earned in the previous calendar year. Chapter 207, article 6, §82.
- Effective for payments due July 15, 1995, the monthly payment required to be paid by Hennepin County under §256B.19, subd. 1c is changed to \$1,500,000, and the monthly payment to be paid by the University of Minnesota is changed to \$500,000. Chapter 207, article 6, §83.
- Effective July 1, 1995, Mahnom County is no longer a designated governmental unit required to make monthly payments according to §256B.19, subd. 1d. Also, the payments under this subdivision are determined by multiplying the number of licensed beds in any nursing home owned and operated by the designated county, with the county named as licensee, by \$5,723. If two or more counties own and operate a nursing home, the payment shall be prorated. Chapter 207, article 6, §84.
- Effective July 1, 1996 for all vendor obligations existing or arising on or after that date, the MA Program is required to pay or deny a valid vendor obligation for MA, GAMC or MinnesotaCare within 30 days after receipt of such claim. A "valid vendor obligation" means a clean claim submitted directly to the commissioner by an eligible health care provider for health services provided to an eligible recipient. A "clean claim" means an original paper or electronic claim with correct data elements, prepared in accordance with the commissioner's published specifications for claim preparation, that does not require an attachment or text information to pay or deny the claim. Chapter 241, §§1 and 2.
- Effective July 1, 1995, payment to a provider for a health care service provided to a GAMC recipient who is later determined eligible for MA or MinnesotaCare according to section 256.9367 for the period in which the health care service was provided, shall be considered payment in full, and shall not be adjusted due to the change in eligibility. This section applies to both fee-for-service payments and payments made to health plans on prepaid, capitated basis. Chapter 234, article 6, §39.

IV. Services and Payment Rates Related to MA Long Term Care Coverage

Minnesota Statutes regulating nursing facility reimbursement were amended in several sections by Chapter 207. The general areas affecting nursing facilities include: the moratorium law, resident level of care upon admission, facility inflation, the nursing operating costs, and a demonstration project relating contracting under certain conditions for reimbursement and outcomes.

- Effective July 1, 1995, the law significantly revised the Nursing Home moratorium exceptions process (Chapter 207, article 7, §§13-19), added several statutory moratorium exceptions projects (Chapter 207, article 7, §§10-12), and funded up to four rounds of moratorium exceptions at a total of \$200,000 for each year of the biennium.
- Effective July 1, 1995, the commissioner is to seek necessary federal waivers to permit modification of nursing facility level of care admission criteria to permit screening out persons seeking admission which are determined to be independent "A's". Chapter 207, article 6, §§1, 60 and 85.
- Effective July 1, 1995, the law regarding recovery of MA overpayments was clarified to state recoveries from long term care providers may be made from related organizations. Chapter 207, article 7, §22.
- Effective July 1, 1995, laws governing hospital attached status for nursing home reimbursement were changed to require uniform cost allocation between the hospital and nursing facility, and the status for future nursing facilities seeking hospital

attached facility status will require actual physical attachment. Chapter 207, article 7, §23.

- Effective July 1, 1995, the capital repair and replacement allowance was modified to simplify and clarify the categorization of these costs. Chapter 207, article 7, §24.
- Effective July 1, 1995, facilities meeting certain criteria will qualify for special reimbursement provision relating to interest expense. Also, the computation of a facility's property rate if it has a total replacement or transfers its beds to another location was clarified. Chapter 207, article 7, §25.
- Effective July 1, 1995, nursing facility operating cost payment rate computations were altered in several ways: 1) removal of the up-front funding for the unfunded federal mandates; 2) institution of spending limitations in excess of certain inflationary expectations; 3) limitations on highest cost nursing facility operating cost per diems as measured by specified increments above the median of arrays for designated groupings of facilities; 4) revisions of the computation of the shared saving as measured by the facility efficiency incentive; 5) alteration of the inflationary factors affecting rate determination. Chapter 207, article 7, §26.
- Effective July 1, 1995, and as part of proposed revision the ICF/MR reimbursement rule, the statutory cost allocation provisions will apply the nursing facilities only. Chapter 207, article 7, §26.
- Effective July 1, 1995, the commissioner may develop and enter into a limited number of contracts (up to 40 per Request for Proposal) with nursing facilities to provide services with certain outcome expectations. Those selected facilities will receive their current rates (plus an inflation factor in subsequent years) and will be exempt from future Rule 50 cost reporting and audits, certain nursing home moratorium restrictions, Medicare bed certification mandates, and may charge short term stay private pay residents up to the Medicare rate when that rate is higher than the Medical Assistance rate. The commissioner may also consider contracting with nursing facilities on a capitated or premium, risk or non-risk basis. Other provisions which may affect contract negotiations, reimbursement, and rate reforms are set forth in that law. Chapter 207, article 7, §32.

ICF's/MR

Chapter 207 also included changes which affect Intermediate Care Facilities for the Mentally Retarded (ICF/MR) Medical Assistance reimbursement.

- Effective July 1, 1995, the mortgage equity requirement can be waived during fiscal year 1996 where the interest rate does not exceed state agency tax exempt financing. Chapter 207, article 1, §2.
- Effective July 1, 1995, and during fiscal year 1996, a facility in receivership that is sold to an unrelated organization can be considered a new facility for rate setting purposes, and that facility's purchase price is limited to the historical cost of the prior owner's cost for physical plant, land, and land improvements. Chapter 207, article 1, §2.
- Effective July 1, 1995, authority was granted for the Commissioner to downsize an ICF/MR program located in Brown County. Chapter 207, article 3, §20.
- Effective July 1, 1995, authority was granted for the Commissioner to certify the Laura Baker facility located in Northfield for ICF/MR services. Chapter 207, article 3, §21.
- Effective October 1, 1995, a facility may be exempt from the new rate limitations if the facility meets certain specified criteria. Chapter 207, article 1, §2.

Minnesota Statutes regulating Intermediate Care Facilities for the Mentally Retarded (ICF/MR) were amended. The general areas affecting ICF's/MR reimbursement include: adoption of the client based assessment and classification system, changes in the facility's operating costs, and proposed areas of changes in the reimbursement rule.

- Effective July 1, 1995, the client based assessment system, classifications, weights, and processing procedures was adopted in law. In addition, the commissioner was given authority to revise the reimbursement rule to: 1) combine operating cost categories; 2) eliminated maintenance and administrative limits; 3) establish an economical facility incentive; 4) develop a best practices reward system; 5) establish compensation limits; 6) establish rate limits for high cost facilities; and, 7) use client assessment system in the development of high cost limits, economical facility incentive and the best practices reward payments. Chapter 207, article 7, §34.
- Effective October 1, 1995, facility operating cost payment rate computations were altered by: 1) institution of spending limitations in excess of certain inflationary expectations; 2) limitations on highest cost facility operating cost per diems as measured by specified increments above the median of arrays for designated groupings of facilities; and, 3) alteration of the inflationary factors affecting rate determination. Chapter 207, article 7, §37.
- Effective July 1, 1995, facility time and attendance record keeping was expanded to complement proposed rule revisions. Chapter 207, article 7, §42.
- Effective on publication in the *State Register* that federal approval has been received, an ICF/MR provider whose resident is

Official Notices

receiving services in a state operated crisis service setting is eligible for up to 18 therapeutic leave days if the facility is otherwise eligible for leave day payments. Chapter 207, article 7, §40.

Day Training & Habilitation Services

- Effective July 1, 1995, changes to day training and habilitation services were adopted which: 1) affect rate variances; 2) repeal authority to promulgate rule 75 and eliminate the associated pilot project rate setting; 3) establish one to one follow-a-long rates; 4) modifies the rate appeal process; and 5) provides for a feasibility study on outcome based rate setting for the 1996 session. Chapter 207.

V. Changes to Payment Rates Related to MA Home Care and Home and Community-Based Waivers

- Effective January 1, 1996, Anoka county may be reimbursed for payments made to Alternative Care Program and Elderly Waiver vendors for the actual costs of homemaker and home health aide services rendered from that date forward at a rate equal to the rate in effect on December 31, 1995, plus half the difference between that rate and the maximum state rate allowed for home health aide and homemaker services in those programs. Chapter 207, article 6, §69.
- Effective for services provided on or after April 1, 1996, payment rates for personal care services and nursing supervision of personal care services under *Minnesota Statutes*, §256B.0625, subd. 19a, shall be increased by 1.5%. Chapter 207, article 6, §117.

VI. MinnesotaCare Health Care Reform Waiver

- Effective July 1, 1995, a child under age two, whose mother was eligible for and receiving MA at the time of birth, and who remains in the mother's household or who is in a family with countable income that is equal to or less than 275% of the federal poverty guidelines, is eligible for MA. This provision remains in effect as long as the MinnesotaCare Health Care Reform Waiver remains in effect. Chapter 234, article 6, §§35 and 36.
- Effective July 1, 1995, MA eligibility for relative caretakers of eligible person under 21 is determined without regard to the assets of the relative caretakers. This provision remains in effect as long as the MinnesotaCare Health Care Reform Waiver remains in effect. Chapter 234, article 6, §37.
- Effective July 1, 1995, children under age 21 and pregnant women enrolled in the MinnesotaCare program are eligible for coverage of all services that are eligible for reimbursement under the MA Program. Pregnant women and children are exempt from the copayment requirements of the MinnesotaCare program. Chapter 234, article 6, §19.
- Effective July 1, 1995, in order to continue cost-based payment under the MA Program according to section 256B.0625, subd. 30, paragraphs (a) and (b), a federally qualified health center (FQHC) or rural health clinic (RHC) must apply for designation as an essential community provider (ECP) within six months of final adoption of rules by the department of health according to *Minnesota Statutes*, §62Q.19, subd. 7. For FQHCs and RHCs that seek and obtain ECP status, MA payments will be made according to §256B.0625, subd. 30, paragraphs (a) and (b) for the first three years of such status. For FQHCs and RHCs that do not obtain ECP status within the specified time, or for whom three years of such status has passed, MA payment rates shall be according to the same rates and conditions applicable to the same services provided by providers that are not FQHCs or RHCs. This amendment remains in effect as long as the MinnesotaCare Health Care Reform Waiver remains in effect.
- Effective July 1, 1995, and notwithstanding other provisions to the contrary, an MA recipient enrolled in a prepaid health plan who becomes ineligible for the program because of failure to submit income reports or recertification forms in a timely manner shall remain enrolled in the prepaid health plan and shall remain eligible to receive MA coverage through the last day of the month following the month in which the enrollee became ineligible for the program. This provision remains in effect as long as the MinnesotaCare Health Care Reform Waiver remains in effect. Chapter 234, article 6, §40.
- Effective July 1, 1995, for services provided to children under age 21 in the MinnesotaCare Program, *Minnesota Statutes*, §256.9362, subd. 2, regarding services provided by federally qualified health centers, rural health clinics, and facilities of the Indian Health Service shall not apply. Chapter 234, article 6, §21.

VII. Changes Related to Health Care Service Delivery Initiatives

- Effective July 1, 1995, when implementing GAMC or MA prepayment programs within a county, the commissioner must include the county board in the process of development, approval, and issuance of the request for proposals to provide services to eligible individuals within the proposed county. Chapter 207, article 6, §90.
- Effective July 1, 1996, the law excluding disabled individuals from participation in the Prepaid MA Program is amended to create an exception for disabled children eligible for MA under section 256B.055, subd. 12 (the TEFRA eligibility category). The same law is amended to create additional exceptions for disabled persons residing in Itasca County, and for disabled persons participating in pilot projects under federal waivers granted under section 1115 of the Social Security Act. Chapter 207, article 6, §91 and chapter 234, article 6, §41.

- Effective July 1, 1995, the law requires the commissioner to comply with the request for proposal process applicable to the prepaid MA Program in enrolling persons eligible under the TEFRA program into managed care arrangements. The law further describes information and requirements that must be published in the requests for proposals related to contracts for persons eligible under TEFRA. Chapter 207, article 6, §92.
- By January 15, 1996, the commissioner must report to the Legislature on the methodology used to allocate to participating counties available administrative reimbursement for advocacy an enrollment costs related to the Prepaid MA Program. The report must reflect the commissioner's judgment as to the adequacy of the funds made available and of the methodology for equitable distribution of the funds. The commissioner must involve participating counties in the report. Chapter 207, article 6, §93.
- Effective July 1, 1995, managed care contracts under PMAP, GAMC and MinnesotaCare programs shall be entered into or renewed on a calendar year basis beginning January 1, 1996. Managed care contracts which were in effect on June 30, 1995, and set to renew on July 1, 1995, shall be renewed for the period July 1, 1995 through December 31, 1995 at the same terms that were in effect on June 30, 1995. Chapter 207, article 6, §94.
- For prepaid MA and GAMC program contract rates effective January 1, 1996, through December 31, 1996, capitation rates for nonmetropolitan counties shall on a weighted average be no less than 85 percent of the capitation rates for metropolitan counties, excluding Hennepin County. Chapter 207, article 6, §95.
- Effective July 1, 1996, MA prepayment contracts for children eligible for MA under §256B.055, subd. 12 (TEFRA) shall include home care services and personal care assistant services. Chapter 207, article 6, §96.
- Effective for new contracts on January 1, 1996, any contract with a prepaid health plan under MA, GAMC or MinnesotaCare that requires the health plan to cover transportation services for obtaining medical care for ambulatory persons must provide for payment for those services on a risk basis. Chapter 207, article 6, §103.
- Effective for new contracts beginning on or after July 1, 1995, GAMC prepaid capitation rates shall be discounted ten percent from comparable fee-for-service payments. Chapter 207, article 6, §106.
- Effective July 1, 1995, the commissioner, in conjunction with the rate setting task force, shall develop a prospective rate setting methodology for implementation on January 1, 1998. The methodology must incorporate the public program risk adjustment mechanism and, at a minimum, take into account a number of factors including, cost of ensuring access, cost of medical education, disproportionate share payments, provisions for RHCs and FQHCs, health status, utilization patterns, benefits, and utilization demands resulting from program changes. The commissioner is required to establish a task force to develop recommendations for a rate setting methodology to be implemented by January 1, 1998. The commissioner and task force shall jointly deliver a progress report to the Legislature by January 15, 1996 and a final proposal to the Legislature by December 15, 1996. Chapter 207, article 6, §118.
- Effective July 1, 1995, the commissioner is authorized to conduct joint purchaser demonstration projects for services provided to eligible individuals under MA, GAMC, state health and social services grants, and county funds for these or other participants. Chapter 207, article 6, §119.
- Effective July 1, 1995, counties may propose demonstration projects to test alternatives to the delivery of health services to high risk populations. Chapter 207, article 6, §120.
- Effective July 1, 1995, the commissioner is required to appoint an advisory committee to assist with the development of managed care for children eligible for MA under *Minnesota Statutes*, §256B.055, subd. 12 (TEFRA). The committee is required to report to the Legislature by December 14, 1995 regarding progress toward implementing managed care. Chapter 207, article 6, §123.
- Effective July 1, 1995, *Minnesota Rules*, part 9500.1452, subpart 2, item B, is repealed. This rule provision prohibited enrollment into PMAP persons who receives personal care assistant services at the time of enrollment. It also required disenrollment of persons who were using personal care assistant services at the end of their rate cell year. Chapter 207, article 6, §124.
- Effective July 1, 1995, the commissioner is authorized to implement demonstration projects to create alternative integrated delivery systems for acute and long-term care services to elderly and disabled persons that provide increased coordination, improve access to quality services, and mitigate future cost increases. Chapter 207, article 7, §41.
- Effective July 1, 1995, the commissioner is authorized to conduct locally managed integrated fund demonstration projects for persons with developmental disabilities. Chapter 207, article 8, §42.
- Effective July 1, 1995, the law authorizing the commissioner to contract with managed care organizations for the provision of all dental services under MA, GAMC and MinnesotaCare is amended to clarify the enrollment criteria, and contract requirements of this program. Chapter 234, article 6, §§22 to 33.

Official Notices

- Prior to enrollment of MA or GAMC recipients residing on an Indian reservation into managed care plans, the commissioner shall consult with representatives of the Indian Reservation in developing a plan to implement managed care in that community, and shall present this implementation plan to the Legislature and the legislative commission on health care access. Chapter 234, article 6, §43.

VII. Other

- Effective May 26, 1995, *Minnesota Statutes*, §256B.9657, subd. 3 is amended regarding the affect on the HMO/ISN surcharge requirements when an HMO or an ISN or CISN merges or consolidates with or is acquired by another HMO, ISN or CISN. Chapter 207, article 6, §14.
- Effective July 1, 1995, when the Department of Human Services has a lien against a recipient's cause of action for the cost of medical care, the same rights apply to the Department's authorized agents. Chapter 207, article 6, §§9, 12 and 26.
- Effective July 1, 1995, when the Department of Human Services has a lien against a recipient's cause of action for the cost of medical care, it has one year from the date notice of the claim is first received, whether or not the notice is timely. Chapter 207, article 6, §§10 and 26.
- Effective July 1, 1995, if payment for covered expenses has been made under state medical programs for health care items or services provided to an individual, and a third party has a legal liability to make payments, the rights of payment and appeal of an adverse coverage decision for the individual, or in the case of a child their responsible relative or caretaker, will be subrogated to the state and/or its authorized agent. When the state agency has acquired the rights of an individual eligible for state medical programs and has health benefits coverage through a health carrier, the health carrier shall not impose requirements that are different from requirements applicable to an agent or assignee of any other individual covered. Chapter 207, article 10, §1.
- Effective July 1, 1995, the commissioners of administration and human services shall begin development of a Senior Drug Discount Program. Senior citizens are eligible for discounts on drug costs through this program if: their household income does not exceed 200 percent of federal poverty; they are enrolled in Medicare Part A and B; they do not have coverage for prescription drugs under a health plan, including public programs; and they meet the residency requirements of the MinnesotaCare program. The commissioner of human services may establish an annual enrollment fee of \$5 for purposes of administering the program. The commissioner of administration shall award contracts to claims processing companies to process payments to participating pharmacies. Participating manufacturers will agree to pay participating pharmacies an amount equal to 4 percent of the average manufacturer price; process discount payments through claims processing companies; and pay administrative fees as required. Participating pharmacies will provide eligible seniors with the discounted price established by the program; accept payments from participating claims processing companies equal to 4 percent of the average manufacturer price; and not charge eligible seniors a dispensing fee greater than \$3. Chapter 234, article 6, §§1 and 2.

Department of Human Services

Chemical Dependency Program Division

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to Rules Governing Chemical Dependency Care for Public Assistance Recipients

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose amendments to part 9530.6610 of the rules governing chemical dependency care for public assistance recipients.

This amended notice corrects a typographical error in the notice as originally published May 15, 1995 (19 S.R. 2252). The May 15 notice projected that advisory committee review would be completed by June of 1996 and the amendment process completed by October of 1996. The projections should have shown June and October of 1995.

Adoption of the rule amendment is authorized by *Minnesota Statutes*, section 256E.05, subdivision 1a which permits the commissioner to review requirements of social services rules and adopt amendments that would simplify or streamline administering the rule. The purpose of the amendment is to reduce the administrative burden to counties. Counties are the only groups likely to be affected by the proposed amendments.

During the rule development process one issue that will be considered is removing the requirement that there be a plan for in-service training for county chemical dependency counselors. The actual training would still be required. The other issue to be considered would modify the mechanism for county compliance with the requirement that counties may not contract with treatment providers to meet the counties' assessment responsibility, unless some exceptions apply. The limitation would still stand but counties would no longer need a variance from the commissioner when an exception applies.

The State Department of Human Services has asked the rules committee of the Minnesota Association of County Social Services Administrators (MACSSA) to serve as the advisory task force for the proposed amendment to part 9530.6610. Current membership on the committee represents Hennepin, Morrison, Ramsey, Blue Earth, Sibley, Chippewa, Anoka, Mower, Wright, Traverse, Isanti, St. Louis, Sherburne, and Wadena counties and the Association of Minnesota Counties.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally and may request copies of the current draft of the proposed amendment. Please address written statements or requests for drafts to:

Alice Weck
Division of Appeals and Regulations
Department of Human Services
St. Paul, MN 55155-3816

She will receive oral statements or requests for drafts during regular business hours over the telephone at (612) 297-4302 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 June 1995

Alice Weck

Department of Human Services

Family and Children's Services Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to Rules Governing Protective Services for Children, *Minnesota Rules*, Parts 9560.0210 to 9560.0234

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information and opinions from sources outside the agency in preparing to propose the adoption of amendments to the rule governing protective services for children. The rule is also known as "Rule 207", according to the informal numbering system used by the department. The amendment of the rule is authorized by *Minnesota Statutes*, sections 256.01, subdivisions 2, 4, and 12, which gives the commissioner authority to administer and supervise all child welfare activities; 256.991, which gives the commissioner authority to adopt rules to implement 256.01, subdivision 2; and 393.07, which assigns the commissioner supervisory authority over the child welfare program, including the child protection responsibilities of the state.

The proposed amendments will reflect the statutory changes related to protective services for children which were enacted during the 1993 and 1994 legislative sessions. During the course of the rule development process the following issues may be considered: require the local agency to send a summary of the disposition of a report filed under *Minnesota Statutes*, section 626.556 to the mandated reporter who filed the report, according to *Laws of Minnesota 1994*, chapter 434, section 8; add "neglect and endangerment" to the rule parts requiring coordination between law enforcement and social service agencies investigating a report of maltreatment, according to *Laws of Minnesota 1993*, chapter 306, section 18; extend the period for the retention of agency records from seven years to ten years in cases where maltreatment or a need for protective services was determined, according to *Laws of Minnesota 1993*, chapter 351, section 38; delete the requirement that the Department approve agency child protection worker training plans, according to *Laws of Minnesota 1993*, chapter 306, section 20; change the rule language regarding "placement preference" from the requirement that agencies give "due" consideration to the child's race or ethnic heritage to a requirement that agencies give "due, not sole," consideration to the child's race or ethnic heritage, according to *Laws of Minnesota 1993*, chapter 291, section 3; and require that agencies document that a change in the placement of a child, other than a change to a permanent placement, is because the change is in the best interest of the child or that the existing placement is not suitable for the child, according to *Laws of Minnesota 1993*, chapter 291, section 4.

The proposed rule may affect local law enforcement and social service agencies, children eligible to receive child protective services and their parents or guardian, and any person who may be involved with protective services for children.

The State Department of Human Services will not form an advisory task force to aid in the development of the rule.

The Department anticipates that the rule adoption process will take approximately five months.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addresses to:

Robert Klukas
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816

Oral Statements will be received by Robert Klukas during regular business hours over the telephone at (612) 296-2794 and in person at the above address.

A draft of the proposed rule is not yet prepared. If you wish to receive a draft when it is prepared, please write or call Mr. Klukas at the address or phone number listed above.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 June 1995

Robert Klukas

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

Prevailing wage rates determined and certified April 10, 1995, for 404-Carpenter - Science Bldg Renovation-Fergus Falls Community College has been corrected.

Prevailing wage rates determined and certified June 12, 1995, for 417-Pipefitter-Steamfitter - New Roseau County Courthouse and 417-Pipefitter-Steamfitter - New Roseau County Courthouse Facility have been corrected.

Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452.

Gary W. Bastian, Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective June 26, 1995 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Clay: Exterior Recaulk/Masonry Tuckpointing Grantham Hall & Snarr Hall (South)-Moorhead; Domestic Water Heating System Revisions Nelson & Grantham Halls-Moorhead.

Cottonwood: Windom Area High School-Windom.

Hennepin: Hennepin County ACF Industry Addition-Plymouth; U of M Hospital & Clinic Cardiac Catheterization Room #1-Minneapolis; Anwatin School Asbestos Abatement-Minneapolis; Shingle Creek School Asbestos Abatement-Minneapolis.

Houston: Hokah Learning Center Head Start Facility-Hokah.

Itasca: Nashwauk School (Swim Pool Area) & Keewatin Locker Room Area-Nashwauk.

Kandiyohi: Willmar Public Schools-Willmar.

Lake: Lake Superior Schools-Two Harbors.

Mille Lacs: ISD 477 District Office Remodel Phase II-Princeton.

Polk: Exterior Athletic Facilities U of M-Crookston.

Pope: Glacial Lakes State Park Campground Sanitation Bldg.-Starbuck.

Ramsey: ECFE Classroom Modifications at Galtier Magnet School-St. Paul.

Rice: Faribault Elementary School-Faribault; MAFB Accessibility Remodel-Faribault.

St. Louis: Hibbing Minerals Reclamation Research Site Development-Hibbing; Eveleth Public Library and City Hall Building Restorations-Eveleth.

Winona: Gildemeister Hall Reroof-Winona; Sheehan Hall Reroof-Winona; City of Winona-Winona.

Copies of the certified wage rate for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

Gary W. Bastian, Commissioner

Official Notices

Department of Public Safety

Driver and Vehicle Services Division

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to Rules Governing Deputy Registrars

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing deputy registrars. The commissioner has authority over deputy registrars under *Minnesota Statutes*, section 168.33. The amendment of the rule is authorized by *Minnesota Statutes*, section 299A.01, subdivision 6, which permits the commissioner of public safety to promulgate such rules pursuant to chapter 14, as are necessary to carry out the purposes of *Laws of 1969*, chapter 1129. The amendment of the rules is also authorized under *Minnesota Statutes*, section 14.06.

The proposed rules will amend *Minnesota Rules*, parts 7406.0100 through 7406.0700. Topics which may be the focus of the rule revision include, but are not limited to: establishing the location of a deputy registrar office; move of an existing deputy registrar office location; deputy registrar appointment procedures by the registrar and county auditor; deputy registrar office requirements, reporting and depositing of fees and taxes; general operating rules; discontinuance of a deputy registrar appointment including, immediate suspension, suspension, and revocation; and notice and hearing procedures.

Groups and individuals likely to be affected include current deputy registrar appointments and their personnel, county auditors, individuals seeking appointment as a deputy registrar, and customers of deputy registrar offices.

The department has formed an advisory task force to aid in the development of the proposed rule. The advisory task force consists of deputy registrars from throughout the state, legislative representatives, and a representative from the Deputy Registrar Association. The advisory task force is expected to complete consideration of the rule by September 1995.

The department requests information and opinions concerning the subject matter of these rules. Interested persons or groups may submit data or views in writing or orally and may request copies of the draft of the proposed rule. Please address written statements or requests for the proposed rule to: Laura Nehl-Trueeman, Department of Public Safety, Driver and Vehicle Services Division, 120 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155-1886. Oral statements will be received during regular business hours over the telephone at (612) 296-2608 (voice), (612) 297-2100 (device for hearing impaired) or in person at the above address.

The department will accept all statements of information and opinions until further notice is published in the *State Register* that the department intends to adopt or withdraw the rules. Any written material received by the State Department of Public Safety will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 16 June 1995

Michael S. Jordan, Commissioner
Department of Public Safety

Department of Public Safety

Driver and Vehicle Services Division

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendments to Rules Governing Vision Requirements for Driver's License Applicants

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing vision requirements for driver's license applicants. The amendment of the rule is authorized by *Minnesota Statutes*, section 299A.01, subdivision 6, which permits the commissioner of public safety to promulgate such rules pursuant to chapter 14, as are necessary to carry out the purposes of *Laws of 1969*, chapter 1129. The amendment of the rules is also authorized under *Minnesota Statutes*, section 14.06.

The proposed rules will amend *Minnesota Rules*, parts 7410.2400. Topics which may be the focus of rule revision include, but are not limited to: visual acuity and visual field standards, vision examinations, restricted driver license requirements, and driver license denial and cancellation provisions.

Groups and individuals likely to be affected by the rule include members of the public who apply for a driver's license or a driving permit, ophthalmologists and optometrists and other health care providers involved with vision examinations.

The department has formed an advisory task force to aid in the development of the proposed rule. The advisory task force consists of ophthalmologists, one of which is from the department's vision medical advisory board, and a representative from the Minnesota affiliate of the American Association of Retired Persons. The advisory task force is expected to complete consideration of the rule by August 1995.

The department requests information and opinions concerning the subject matter of these rules. Interested persons or groups may submit data or views in writing or orally and may request copies of the draft of the proposed rule. Please address written statements or requests for the proposed rule to: Laura Nehl-Trueman, Department of Public Safety, Driver and Vehicle Services Division, 120 Transportation Building, 395 John Ireland Boulevard, St. Paul, Minnesota 55155-1886. Oral statements will be received during regular business hours over the telephone at (612) 296-2608 (voice), (612) 297-2100 (device for hearing impaired) or in person at the above address.

The department will accept all statements of information and opinions until further notice is published in the *State Register* that the department intends to adopt or to withdraw the rules. Any written material received by the State Department of Public Safety will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 16 June 1995

Michael S. Jordan, Commissioner
Department of Public Safety

Department of Trade and Economic Development

Minnesota Agricultural and Economic Development Board

Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "**Board**") or its designated representative, shall meet on **July 11, 1995, at 9 a.m. o'clock**, at 500 Metro Square, 121 7th Place East, St. Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "**Bonds**") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "**Act**"), to undertake and finance a project on behalf of New Morning Windows, Inc., a Minnesota corporation, Cary Richman and Alexis Richman (collectively, the "**Applicant**"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the acquisition, construction and equipping of a manufacturing facility in the City of Lakeville, Minnesota within the Fairfield Business Campus located north of 210th Street at County Road 70 near the northeast corner of the intersection of Kensington Boulevard and Kenbridge Way, Lakeville, Minnesota (the "**Project**"). The initial owner of the Project will be one of the parties identified above as the "**Applicant**" and the Project is expected to be operated and managed by one of the parties identified above as the "**Applicant**." It is contemplated that the Project will be used primarily for the manufacture of custom windows and related activities. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$3,000,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes* 1986, Chapter 116M or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identifies, during normal business hours.

Dated: 13 June 1995

**By order of the Members of the
Minnesota Agricultural and
Economic Development Board**

Paul Moe, Executive Director
Minnesota Agricultural and
Economic Development Board

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Health

Bureau of Health Quality Assurance

Occupational & Systems Compliance Division

Emergency Medical Services Section

Notice of Availability of Contract for Statewide Educational Services to First Responders/Emergency Medical Technicians in Pediatric Emergency Medical Services

Eligible Applicants: Organizations which provide educational services. The selected organization must work with and through the 8 regional EMS organizations to provide services.

Amount of Funding: A total of \$80,000 is available for educational services, production of materials, and tracking systems related to pediatric emergency medical services. These funds are made available through a continuation grant of the federal government, entitled Addressing the Emergency Medical Needs of Children in Minnesota, from the Maternal and Child Health Bureau, Department of Health and Human Services.

Grant Period: October 1, 1995, through September 30, 1996.

Letter of Intent: Interested parties must submit a *Letter of Intent to Apply for Funds* in order to become eligible to submit a proposal. The letter must include: 1) name of applicant organization, 2) brief description of organization, and 3) name, address and telephone number of a contact person. *Letters of Intent* are due not later than 4:30 p.m., July 31, 1995. This is not a request for proposal.

Description of Grant Program: The purpose of this grant program is for the delivery of educational services for emergency medical services (EMS) personnel throughout the state of Minnesota. Educational services are defined as: arranging training delivery, tracking and monitoring training instructors and participants, reviewing and revising the current Pediatric Emergency Care Course (PECC) curriculum, and providing information to EMS personnel on current and best practices.

This notice does not obligate the Department to fund proposed projects; the right is reserved to modify or cancel the solicitation if it is deemed in the right interest of the State to do so.

Contact Address: The contact address for this grant program, including the *Letter of Intent*, is: Emergency Medical Services for Children, Minnesota Department of Health, P.O. Box 64975, St. Paul, MN 55164-0975.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Affordable Rental Investment Fund

The Minnesota Housing Finance Agency (MHFA) announces the availability of loan funds to eligible sponsors to assist them in the development, construction, acquisition, preservation and rehabilitation of permanent affordable rental housing. These funds were made available through state appropriation and MHFA resources.

Amount of Funds Available:

\$5,668,000 (\$2,434,000 previous appropriation; \$3,234,000 new appropriation)

Location:

Statewide

Form of Awards:

Funds are awarded in the form of a zero percent (0%), 30 year deferred first or subordinated loan.

Allocation of Funds:

Minneapolis and St. Paul - \$1,155,424; Hennepin and Ramsey Counties (excluding the cities of Minneapolis and St. Paul), Anoka, Dakota, Washington, Scott and Carver Counties - \$1,133,600; Greater Minnesota - \$1,133,600; Statewide on a competitive basis - \$2,267,200.

In addition, to the extent practicable, the newly appropriated funds shall be used so that an approximate equal number of rental housing units are financed in the metropolitan area and in the nonmetropolitan area.

Eligible Applicants:

Eligible applicants are limited profit and non-profit entities, Minnesota Cities, and Housing and Redevelopment Authorities. Entities undertaking a development consisting of the rehabilitation of existing rental housing are not limited to return.

Eligible Projects:

The funds will be used to provide loans for projects for the development, construction, acquisition and rehabilitation of permanent low income rental housing consisting of a minimum of four rental units. Single family and duplex properties are allowed in scattered site developments with a minimum of four units total.

All rental units which meet the rent and income requirements are eligible for assistance. In instances where not all units are eligible for assistance, funds will be provided on a prorata basis. Developments which provide for or maintain economic integration are encouraged.

New construction will be closely targeted to areas of economic growth or with sufficient market demand and with an emphasis on housing for large families and single individuals.

Assisted housing shall not be limited to persons 55 years and older.

Income Limits:

100% of assisted units must be initially occupied by households with income up to 80% of state median income (\$34,800). New tenants occupying the units during the term of the mortgage must also meet the income limits at the time of initial occupancy.

Gross Rent Limits:

Maximum gross rents shall not exceed 30% of 50% of Statewide median income (see chart below) by unit size, and will be subject to MHFA market review.

Gross Rent Limit at 30% of 50% of Statewide Median Income (\$43,500)				
0BR	1BR	2BR	3BR	4BR
\$380	\$408	\$489	\$565	\$631

Also, gross rents shall not be lower than 30% of 30% of area median income by unit size.

Application Process:

Applicants should request packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
 400 Sibley Street, Suite 300
 St. Paul, MN 55101
 (612) 297-3294, or
 toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Affordable Rental Investment Fund Program or the application process, please direct your questions to Brenda Nieland at (612) 297-5136, or Warren Kramer at (612) 297-5142.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995.

This request for proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

State Grants

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Community Housing Development Organization Operating Expense Payment Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of operating expense funds to certified Community Housing Development Organizations (CHDOs). The purpose of these funds is to enhance, over a two to five year period, the capacity and long term viability of certified CHDOs selected for a specific HOME project, rather than funding administrative expenses associated with a HOME project.

Amount of Funds Available:

\$690,000

HOME regulations limit the amount of HOME funds that may be paid to a CHDO for its total operating expenses to the greater of 50% of operating expenses or \$50,000 in any fiscal year.

Eligible Applicants:

Non-profit organizations which have been certified as a CHDO, and are selected for a specific HOME project under the Targeted HOME or Minnesota Rural and Urban HOMEsteading (MURL) Programs.

Information on obtaining CHDO certification may be obtained by calling Denise Rogers at MHFA, telephone number (612) 296-8206 or toll free 1-800-657-3769.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the CHDO Operating Expense Payment Program or the application process, please direct your questions to Ed Niewinski at (612) 297-3130 regarding the MURL Program, or Darrick Metz at (612) 297-5137 regarding the Targeted HOME Program.

Application Submission Deadline:

The original and one copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995 with an application for funding under the Targeted HOME or MURL Programs; or within one month of notification of selection for funding under the Targeted HOME or MURL Program. Staff will make recommendations for funding to the MHFA Board in December 1995.

This Request for Proposals (RFP) is subject to all applicable federal, state and municipal laws, rules and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Housing Opportunities for Persons with AIDS Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of Department of Housing and Urban Development (HUD) grant funds to devise long-term comprehensive strategies for meeting the housing needs of persons with Acquired Immune Deficiency Syndrome (AIDS) or related diseases, such as HIV, and their families. The program authorizes entitlement grants and competitively awarded grants for housing assistance services.

The Housing Opportunities for Persons With AIDS Program (HOPWA) was authorized through the HUD Housing and Community Development Act of 1992.

Amount of Funds Available:

\$1,000,000

The HOPWA funds were awarded to the Minnesota Department of Health (MDH) and the City of Minneapolis in 1994-95. The HIV Housing Assessment and Planning Project began in April 1994. Under the auspices of the MDH and the direction of the Coalition for Housing for Persons with HIV (Coalition), the Assessment sought to define and quantify the housing needs throughout the state for persons with HIV infection and to develop a five year plan for addressing those needs. The information from this process is available in the HIV Housing Needs Assessment and Five Year Plan (five year plan).

Form of Awards:

The grant period for these awards is three (3) years from the date of the award. Continuation of funding for this program is dependent on the availability of state and federal housing funds. Additional AIDS specific housing funds are not certain.

HOPWA funds awarded for supportive programs and services will enter into a Grant Agreement with the MDH.

HOPWA funds awarded for housing programs will enter into a Commitment Agreement with MHFA.

Eligible Applicants:

Eligible applicants include natural persons, limited-profit and non-profit entities, Minnesota units of local government, Public Housing Authorities, and/or community based organizations.

Eligible Projects:

Of the estimated 3,000 people living in Minnesota with HIV/AIDS, it is estimated that 1,000 people are in need of more intensive supportive services to locate, maintain, or remain in their homes. To focus on those with increased housing needs and to target limited resources, services and programs supported with these HOPWA funds must assist low income and disabled persons with HIV infection including both individuals and households.

1. **Low income:** Individuals and families whose income does not exceed 80% of the median income for a county or metropolitan statistical area, as determined by HUD, adjusted for household size. A restriction of income level is not applicable if individuals or households are receiving housing and supportive services information only.
2. **Disabled with HIV/AIDS:** At least one individual in the household must have AIDS or a related disease (which means the disease of Acquired Immune Deficiency Syndrome or any conditions arising from HIV infection). Households may include those who are connected by law, blood or are of special significance to the individual with AIDS.
3. **Rental Assistance:** Persons receiving rental assistance or residing in rental housing, except those in short stay supported housing, must pay 30% of the family monthly gross income after adjustments. Rents must be reasonable in relation to comparative rents.

Priority Populations:

Included within the three eligible participant categories (Low income, Disabled with HIV/AIDS, and Rental Assistance), the following categories of individuals and households require increased attention and are thus priority populations for HOPWA funding. Proposed housing programs and services must be culturally specific, meeting the needs of targeted communities including people of color, youth, and disabled persons. Applications targeting these priority populations will receive selection preference consideration:

- Households with children.
- Individuals whose rental histories, pre-existing conditions, and other life circumstances increase the difficulty of accessing subsidized and fair market housing. This group includes people with mental illness, chemical dependency, and those with backgrounds that include past evictions and prison records.
- People from communities of color, including African Americans, Native Americans, and Hispanics.
- Adolescents and young adults between 13 and 24 years of age.
- Households who are homeless or at risk of homelessness.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Housing Opportunities for Persons With Aids Program or the application process, please direct your questions to Fraser Nelson, MDH at (612) 623-5721 or Glory J. Hill, MHFA at (612) 296-9827.

State Grants

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Housing Trust Fund Program

The Minnesota Housing Finance Agency (MHFA) and the Housing Trust Fund Advisory Task Force (HTFATF) announce the availability of loan funds to eligible sponsors to assist them in the development, construction, acquisition, preservation and rehabilitation of affordable rental housing, limited equity cooperative housing, and homes for ownership by low income persons. These funds were generated by interest earnings on real estate brokers' trust accounts; interest accrued on revenue bond application fees and forfeited fees; and state appropriated funds.

Amount of Funds Available:

\$1,000,000

Location:

Statewide

Form of Awards:

Funds are awarded to projects in the form of a zero interest deferred loan. To encourage the long term affordability of the housing provided under this program, a twenty year repayment schedule is used. The loan must be repaid in full if the project fails to operate as affordable housing for low income persons during the first ten years of the loan. During the next ten years, ten percent of the loan is forgiven each year provided that the housing remains affordable for low income persons and families.

Set Aside:

Up to twenty percent (approximately \$200,000) of the total funds available may be used for projects that are not compatible with the 20 year repayment schedule. Within the twenty percent set aside, up to \$100,000 will be available for home ownership projects. The MHFA's and the HTFATF's intent is to use this set aside of funds to encourage innovative proposals which would otherwise not be possible to fund given the 20 year use commitment. Applications submitted under the set aside will be evaluated with all applications received in response to the Request for Proposals.

Eligible Applicants:

Eligible applicants are individuals, for-profit entities, non-profit entities, Minnesota Cities, joint power boards established by two or more cities, and Housing and Redevelopment Authorities.

Eligible Projects:

The legislation requires that the funds from the trust fund account be used "to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low income rental and limited equity cooperative housing units and homes for ownership. At least 75 percent of the rental and cooperative units in the development or all of the units funded by the housing trust fund account, must be rented to persons and families whose income does not exceed 30 percent of the median family income for the metropolitan area. Homes for ownership must be owned or purchased by persons and families whose income does not exceed 50 percent of the metropolitan area median income." (*Minnesota Statutes* Sect. 462A.201 Subd. 2, as amended.) As of May 1995, 30 percent of the Minneapolis/St. Paul area median income was \$15,300.

It is the desire of the MHFA and the HTFATF to use the Housing Trust Fund Housing Program to encourage and support innovative approaches to housing problems which provide affordable housing with strong local support. It is expected that these funds will be used to leverage other funds or to provide the final piece of a financing package. They can be used in conjunction with other MHFA, State, or Federal programs as appropriate.

The MHFA will not be accepting applications for proposals whose primary purpose is lead based paint abatement.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Housing Trust Fund Housing Program or the application process, please direct your questions to Denise Holter (612) 297-4294.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. The Housing Trust Fund Advisory Committee will review the applications and should make funding recommendations to the MHFA Board by October 26, 1995.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Minnesota Rural and Urban Homesteading Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of funds to eligible organizations to acquire single family residences that are vacant, condemned or abandoned, rehabilitate those properties and then sell them by way of a contract for deed to first time homebuyers who are "at risk." These funds are made available through FY 95 Federal HOME appropriations.

Amount of Funds Available:

\$800,000

Location:

All areas of the state except in Anoka, Cook, Dakota, Hennepin, Itasca, Koochiching, Lake, Ramsey, St. Louis and Washington Counties.

Form of Awards:

Funds are awarded in the form of a grant. The term for using these funds is 50% in six (6) months, 75% in nine (9) months with no established deadline date for the remainder of funds.

The eligible organization must service the contracts for deed for as long as they retain ownership of the property.

Allocation of Funds:

The maximum funds requested by an eligible organization cannot exceed \$200,000 and the minimum requested cannot be less than \$100,000.

Eligible Applicants:

Eligible applicants are political subdivisions, nonprofit or cooperative housing organizations, housing and redevelopment authorities, Community Housing Development Organizations (CHDO's) or other organizations that have as a primary purpose, the provision or development of affordable housing to low and moderate income homebuyers.

Eligible Activity:

The funds will be used to arrest or prevent the spread of blight and preserve the existing housing stock by providing a financing mechanism through which properties may be purchased and rehabilitated and then sold to homebuyers who will stabilize the neighborhood by following a "good neighbor" policy.

If the eligible organization is not a certified CHDO, they will be required to establish a local neighborhood advisory board.

State Grants

Only existing single family residences are eligible under the program. Duplexes, condominiums, townhouses within planned unit developments, mobile homes, etc. are not eligible.

Eligible Homebuyers:

Eligible homebuyers must be "at risk" first time homebuyers whose incomes do not exceed 80% of the median area income. At least 25% of their monthly household income must be sufficient to cover at least the monthly real estate and hazard insurance escrows.

"At risk" is defined as being homeless, receiving public assistance, or otherwise not able to afford homeownership.

First time homebuyer is defined as someone who has not owned a home they lived in for the last three (3) years.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Minnesota Rural and Urban HOMEsteading Program or the application process, please direct your questions to Ed Niewinski, MN Homes Division at (612) 297-3130 when calling from the Twin Cities metropolitan area, or toll-free 1-800-657-3802, extension 7-3130 if calling from Greater Minnesota.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Publicly Owned Neighborhood Land Trust Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of funds for no-interest deferred loans to assist Eligible Applicants in financing the capital costs of the acquisition of affordable housing which is part of a neighborhood land trust.

A public land trust provides for public ownership of land to preserve the affordability of the housing located on the land. The funds for this program are from state general obligation bonds. Program requirements can be somewhat complicated; therefore, applicants are encouraged to discuss the feasibility of their proposal with MHFA staff prior to submitting an Application for Funding.

Amount of Funds Available:

Approximately \$1,000,000

Location:

Statewide

Form of Awards:

Funds are awarded in the form of a zero percent (0%) deferred loan.

An Eligible Applicant which is selected for an award will be required to own and manage the property for twenty (20) years, at which time the loan will be deemed paid in full. The ground lease shall continue to remain in force until such a time it is modified or terminated.

Any sale of any part of the property at any time in the future must be for its fair market value. Any sale prior to the expiration of the twenty year period will result in the net proceeds of the sale being paid to MHFA.

Eligible Applicants:

An eligible applicant is a city as defined in *Minnesota Statute*, section 462C.02, subdivision 6. This definition includes most housing and redevelopment authorities. The city must agree to perform certain activities related to the land trust.

Qualifying Entity:

A Qualifying Entity either meets the definition of an Eligible Applicant (but is not receiving the loan funds), or is a nonprofit organization which meets the requirements of Chapter 317A, qualifies for tax exempt status under the *United State Code*, title 26, section 501 (c) (3), and meets the requirements of being a neighborhood land trust as specified in *Minnesota Statute*, sections 462A.30 and 462A.31.

Eligible Activity:

Loan funds must be used only for capital costs related to the purchase of vacant land, or to the purchase of land and residential buildings. General administrative or operating expenses are not eligible. Occupants of the completed housing must be persons or families of low and moderate income.

If the proceeds are used to purchase vacant land (or to purchase land and buildings and demolish the buildings), the Eligible Applicant will lease the land to a Qualifying Entity. The Qualifying Entity will use other financial resources to either build housing units on the vacant land and rent or sell them, or will rent the land as spaces for mobile homes.

If the proceeds are used to purchase land and buildings, the Eligible Applicant will sell the buildings and lease the land to a Qualifying Entity. The Qualifying Entity will use other financial resources to rehabilitate the buildings and rent or sell the buildings.

If the proceeds are used to purchase land and single-family houses (1-4 units), the Eligible Applicant may sell the houses and lease the land directly to persons and families of low and moderate income without the involvement of a Qualifying Entity. The houses must be owner-occupied.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Publicly Owned Neighborhood Land Trust Program or the application process, please direct your questions to Greg Baron at (612) 297-3123.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995. Late applications may be considered if funds remain after the initial awards.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Targeted Home Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of loan funds to assist eligible applicants in the development of rental or homeownership projects, for acquisition, rehabilitation, or new construction.

Amount of Funds Available:

\$1,000,000

Program Description:

The Targeted HOME Program is a flexible fund for applicants with projects which do not fit into other MHFA programs.

State Grants

Applicants will be required to meet the HOME regulations for the activity they are proposing. For example, a rental project must meet the HOME income and rent requirements for the affordability period. A home purchase project must include the HOME resale guidelines.

Because the HOME regulations are complicated, applicants are urged to contact the MHFA for technical assistance in designing a program that meets HOME requirements.

Form of Awards:

Targeted HOME funds will be in the form of a deferred no interest loan for the affordability period required under the HOME regulations.

Eligible Applicants:

Eligible applicants are private individuals, for-profit or non-profit organizations, community housing development organizations (CHDO's), housing and redevelopment authorities (HRA's).

Involvement of CHDO's:

CHDO's may participate in the Targeted HOME Program as developers of affordable housing projects. Priority in selection shall be given to eligible organizations that qualify as CHDO's.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Targeted HOME Program or the application process, please direct your questions to Susan Ude at (612) 296-8844 for home purchase projects; Darrick Metz at (612) 297-5137 for rental projects.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on Thursday, August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995.

This Request for Proposals (RFP) is subject to all applicable federal, state and municipal laws, rules and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Notice of Fund Availability and Request for Proposals for the Transitional Housing Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of loan/grant funds to eligible sponsors to assist in providing safe, appropriate, and affordable housing for low and moderate income residents of Minnesota. The Transitional Housing Program is designed to assist eligible applicants in the construction, acquisition, or rehabilitation of residential housing for this group of persons.

Program Options:

The Transitional Housing Program has three program options: (1) Temporary or transitional housing for individuals and families having an immediate need for housing; (2) Residential housing for migrant farmworkers; and (3) Homeless individuals and families. **You must select the program under which you are requesting funds.**

Under the Temporary or Transitional Housing program option, individuals and families income cannot exceed 50% of the greater of the statewide or area median income adjusted for families of five or more.

Under the Residential Housing for Migrant Farmworkers program option, housing must contain cooking, sleeping, bathroom facilities, and hot/cold running water in the same structure.

Under the Homeless Individuals and Families program option, eligible applicants can apply for fund to provide housing (includ-

ing SRO-type housing) for individuals and families whose incomes do not exceed thirty percent (30%) of the metropolitan area median income for a family of four adjusted for families of five or more.

For all the program options, the maximum loan/grant amount may not exceed 50% of Total Development Cost with the balance of the funds coming from other sources. The loan/grant may not exceed \$25,000 per unit. Each project funded must be operated and maintained as housing for the target population for twenty years.

Amount of Funds Available:

\$275,000

Form of Awards:

Funds are awarded to projects in the form of a zero interest deferred loan. To encourage the long term affordability of the housing provider under this program, a twenty year repayment schedule is used. The loan must be repaid in full if the project fails to operate as affordable housing for low income persons during the first ten years of the loan. During the next ten years, ten percent of the loan is forgiven each year provided that the housing remains affordable for low income persons and families.

Location:

Statewide

Eligible Applicants:

Eligible Applicants are individuals, for-profit entities, non-profit entities, Minnesota cities, joint power boards established by two or more cities, and Housing and Redevelopment Authorities.

Eligible Projects:

The Legislation requires Transitional Housing funds be used "to provide loan/grant awards to projects for the construction, acquisition or rehabilitation of residential housing." The housing is to be provided for a limited duration not exceeding twenty-four (24) months and available for occupancy on a continuous twenty-four (24) hour basis. Loan/grants may not be used for residential care facilities, for facilities that provide housing for occupancy on less than a twenty-four (24) hour continuous basis, or for any residential housing that requires occupants to accept board as well as lodging.

Loan/grants may be used for specific work or improvements, such as:

- Land or building acquisition
- Building construction
- Building rehabilitation
- Costs that are associated with the project or project financing. These may include costs of financing such as processing and attorney fees, or building permits.

Loan/grants cannot be used for completed work or improvements, expenses incurred in the preparation of the proposal or project costs which are otherwise reimbursable from other private or public sources. Additionally, costs incurred prior to executing the Commitment Agreement are not eligible for reimbursement from loan/grant funds.

It is the desire of the MHFA to encourage and support innovative approaches to housing problems which provide affordable housing with strong local support. It is expected that these funds will be used to leverage other funds or to provide the final piece of a financing package. They can be used in conjunction with other MHFA, State, or Federal programs as appropriate.

No maximum single loan/grant amount has been officially established other than \$25,000 per unit.

Application Process:

Applicants should request application packets from Multi-Family Underwriting staff:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll-free: 1-800-657-3701

If after reviewing the application materials there are any questions concerning the Transitional Housing Program or the application process, please direct your questions to Glory J. Hill at (612) 296-9827. Applicants are encouraged to discuss the feasibility of their project proposal with MHFA staff prior to submitting an application for funds.

Application Submission Deadline:

The original and one (1) copy of the application are due by 4:30 p.m. on August 24, 1995. Staff will make recommendations for funding to the MHFA Board on October 26, 1995.

The Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA

Professional, Technical & Consulting Contracts

reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Department of Public Safety

Notice of Availability of Funds for Multi-Jurisdictional Narcotics Enforcement Task Forces

The Department of Public Safety, Office of Drug Policy and Violence Prevention, is accepting applications for grants for Multi-Jurisdictional Narcotics Enforcement Task Forces.

These funds are authorized by P.L. 100-690 Federal Anti-Drug Abuse Act of 1988.

The Office will award grants totaling \$2.5 million to law enforcement task forces on or about August 28, 1995. Grant funds are available January 1, 1996.

Eligible applicants are local units of government working as multi-jurisdictional narcotics enforcement task forces.

Proposals must address identification, apprehension and prosecution of drug offenders by improved interagency cooperation and sharing resources in the approved format addressed in the "Request for Proposal".

Priority consideration will be given to reapplying existing programs that are operating successfully.

A copy of the complete "Request for Proposal" will be released June 26, 1995, and may be obtained from:

The Office of Drug Policy and Violence Prevention
444 Cedar Street, Suite 100-D Town Square
St. Paul, MN 55101-2156
Telephone (612) 297-7311

Proposal deadline: 4:30 p.m., July 28, 1995.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

Department of Corrections

Minnesota Correctional Facility - Shakopee

Notice of Request for Proposal for Dental Hygiene Services

NOTICE IS HEREBY GIVEN to request proposals for the provision of Dental Hygiene services for the inmates of the Minnesota Correctional Facility in Shakopee, as referred by the medical staff of that facility. Proposals shall be based on services to be provided at the Minnesota Correctional Facility for approximately twenty-four (24) hours per week for the period of July 1, 1995 to June 30, 1997. Proposal shall cover the period of July 1, 1995 to June 30, 1997 and shall be submitted on a per hour basis. Proposals must be submitted by 4:00 p.m. on June 30, 1995.

Connie Hammer, R.N.
Minnesota Correctional Facility - Shakopee
P.O. Box 7
Shakopee, MN 55379
(612) 496-4469

Department of Corrections

Minnesota Correctional Facility - Shakopee

Notice of Request for Proposal for Dentist Services

NOTICE IS HEREBY GIVEN to request proposals for the provision of Dentist services for the inmates of the Minnesota Correctional Facility in Shakopee, as referred by the medical staff of that facility. Proposals shall be based on services to be provided at the Minnesota Correctional Facility for approximately twenty-four (24) hours per week for the period of July 1, 1995 to June 30, 1997. Proposal shall cover the period of July 1, 1995 to June 30, 1997 and shall be submitted on a per hour basis. Proposals must be submitted by 4:00 p.m. on June 30, 1995.

To submit proposals for the additional information, contact:

Connie Hammer, R.N.
Minnesota Correctional Facility - Shakopee
P.O. Box 7
Shakopee, MN 55379
(612) 496-4469

Department of Corrections

Minnesota Correctional Facility - Shakopee

Notice of Request for Proposal for Psychiatric Services

NOTICE IS HEREBY GIVEN to request proposals to provide psychiatric services to female inmates incarcerated at the Minnesota Correctional Facility in Shakopee. Candidates duties involve testing and evaluation all new inmates, screen and evaluate inmates at the request of MCF-Shakopee staff, consult with staff on treatment plans and give direct treatment as needed. Proposals shall be based on services to be provided at the Minnesota Correctional Facility for approximately twenty (20) hours per week from July 1, 1995 to June 30, 1997 and shall be submitted on a per hour basis. Proposals must be submitted by 4:00 p.m. on June 30, 1995.

To submit proposals for the additional information, contact:

Connie Hammer, R.N.
Minnesota Correctional Facility - Shakopee
P.O. Box 7
Shakopee, MN 55379
(612) 496-4469

Department of Economic Security

Division of Rehabilitation Services

Notice of Proposed Contracts - Federal Fiscal Year 1996

The Minnesota Department of Economic Security, Division of Rehabilitation Services is publishing notice that the contracts listed below are available and will be awarded for federal fiscal year 1995 (October 1, 1995 to September 30, 1996):

Notice for Request for Qualifications and Request for Proposal for Mobile/Onsite Medical Examination Services

The Division of Rehabilitation Services, Social Security Disability Determination Services, is seeking the services of Minnesota

Professional, Technical & Consulting Contracts

licensed physicians to provide specialized consultative exams (e.g., orthopedics, internal medicine, neurology, pediatric exam, psychiatry) and to travel to various Minnesota cities (e.g. Austin, Bemidji, Mankato, St. Cloud) to perform consultative examinations and requested lab or x-ray studies and to provide written results of these examinations.

The division's fee schedule will be used as a guide to determine compensation. Fees may not exceed the division's fee maximums. Multiple contracts will be written. Expenditure for these contracts is not expected to exceed \$300,000. Reimbursement for mileage according to state regulations is provided. The contract period is 10/1/95 through 9/30/96. Inquires and request for a copy of the RFQ and RFP should be directed to:

William T. Ruhl
Assistant Director, Medical Services
Disability Determination Services
MN Department of Economic Security
Rehabilitation Services
Suite 300 - Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101
(612) 296-4419

All proposals must be received by 4:30 p.m. 8-05-95.

Office of Environmental Assistance

Notice of Request for Proposals from Professional and Technical Services to Provide Contracted Assistance for the Reuse and Recycling Business Assistance Center (RBAC) Program

The Minnesota Office of Environmental Assistance (OEA) is soliciting proposals from professional and technical service providers to furnish contracted assistance to selected businesses through OEA's Reuse and Recycling Business Assistance Center (RBAC). The following industries will be targeted but other recycling and/or reuse manufacturing opportunities will be considered: 1.) Forestry Products { wood fiber } 2.) Plastics 3.) Composites. The professional and technical services will assist selected start-up and expanding manufacturing businesses to evaluate and/or refine value-added recycling and reuse opportunities. The OEA will contract for assistance on a task or project specific basis. The scope of work may include, but is not limited to, any or all of the following activities:

- 1.) Evaluate and verify market research.
- 2.) Develop market objectives, strategies, decisions and programs.
- 3.) Analyze materials processing and handling.
- 4.) Evaluate and test manufacturing technology and/or equipment.
- 5.) Product performance testing and/or evaluating product performance test data.
- 6.) Analyze product applications, critical property requirements, and product specifications, and evaluate potential material use in different products.
- 7.) The analysis of processing parameters by product, assessment of existing systems to control product properties, and evaluation of need for process modifications.
- 8.) Research and/or analyze transportation issues.
- 9.) Research and/or analyze material sourcing issues.

Providers of the professional and technical services utilized in the RBAC Program will be required to develop detailed project recommendations and submit a final report to the OEA.

This request for proposal is for professional and technical services that the OEA cannot estimate its total need for. Professional and technical contracted assistance will be provided "on call," based on the requirements set forth by specific businesses within the targeted industries. The Minnesota Office of Environmental Assistance will determine the specific businesses to which contracted assistance will be provided.

The total amount of funding allocated for RBAC Program contracted assistance is \$125,000.00. For a copy of the Request for Proposal, contact Pam Pontzer at (612) 215-0288.

This request for proposal will remain open until 1:00 P.M. CST on December 31, 1996. All proposals must be submitted to the Office of Environmental Assistance, 520 Lafayette Rd., 2nd Floor, St. Paul, Minnesota 55155

Department of Health

Community Health Services Division

Section of Public Health Nursing

Request for Proposals for Conference Planner

The Minnesota Department of Health is requesting proposals for conference management services to plan, administer and evaluate the 1995 Public Health Nursing Practice Conference. The conference will be held December 4-5, 1995 at the Earle Brown Conference Center in St. Paul.

The annual public health nursing practice conference brings together 100-150 public health nurses from throughout the state of Minnesota to acquire new information and discuss public health nursing practice issues which will enhance and strengthen the delivery of public health nursing services to the families and communities of Minnesota. Participants also include public health nurse educators, supervisors, directors, and nurses from other community practice settings.

The goal of this year's conference is to build the capacity of practicing public health nurses to develop outcome-based practice. The conference will highlight existing state and national outcome based programs, delineate outcome evaluation issues and options specific to public health nursing, and propose a common framework for agencies to utilize as they reframe their practice within a reformed health care system.

The responsibilities of the contractor include but are not limited to: staffing a planning committee which develops program content, corresponding with presenters, making arrangements with the facility, conducting and overseeing the registration process, developing and mailing all promotional materials and other correspondence, and ensuring the conference support services run smoothly.

REQUEST FOR PROPOSAL:

Interested persons may obtain a copy of the Request for Proposal by calling or writing:

Nancy Blume Kern, RN, MPH
MN Department of Health
Section of Public Health Nursing
Metro Square Building, Suite 460
P.O. Box 64975
St. Paul, Minnesota 55164-0975
Phone: 612/296-9133

Other department personnel are NOT allowed to discuss the request for proposal with anyone, including responders, before the proposal submission deadline.

SUBMISSION OF PROPOSALS:

All proposals must be sent to and received by:

Nancy Blume Kern, RN, MPH
MN Department of Health
Section of Public Health Nursing
Metro Square Building, Suite 460
P.O. Box 64975
St. Paul, Minnesota 55164-0975

Proposals must be received by 4:30 p.m., Monday, July 17, 1995. Late proposals will not be accepted.

Department of Human Services

Anoka Metro Regional Treatment Center

Notice of Request for Proposal for Various Medical Services: Neurological, Optometry, Family Practice and Psychological

NOTICE IS HEREBY GIVEN that the Anoka-Metro Regional Treatment Center, Mental Health Bureau, Department of Human Services, is seeking the services which are to be performed as requested by the Administration of Anoka Metro Regional Treatment Center. Contracts will be written for the period beginning July 1, 1995 and ending June 30, 1996.

Professional, Technical & Consulting Contracts

1. **Neurological Services:** Responsibilities will include furnishing of computerized tomography {CT Scans} and interpretation of results and neurological consultation. The total will not exceed \$8,000.00 annually.
2. **Optometry Services:** Responsibilities will include eye exams and referrals, dispensing of eyewear, and consultation with medical staff. Total amount of contract will not exceed \$4,800.00 annually.
3. **Family Practice Services:** Responsibilities will include specialized medical care for mentally ill and chemically dependent patients. Total estimated amount of contract will not exceed 25,000.00 annually.
4. **Psychological - Student Intern Services:** Responsibilities will include psychological assessment, psychological testing, group psychotherapy, family psychotherapy, individual psychotherapy, staff education, and staff development. These duties, as well as the general duties of a staff psychologist will be assigned based on the needs of AMRTC as well as the expertise and teaching needs of specific intern. 154 hours per month. 1,856 hours annually at Anoka-Metro Regional Treatment Center. The total will not exceed \$15,000.00 annually.

Responses must be received by July 3, 1995. Direct inquiries to Jon Gillmore, Chief Administrative Officer, Anoka-Metro Regional Treatment Center, 3300 - 4th Avenue North, Anoka, MN 55303-1119. Phone: 612-422-4300.

Department of Public Safety

Office of Traffic Safety

Request for Proposals for Minnesota Passenger Protection Program

The Department of Public Safety is seeking proposals to plan and implement a statewide program of activities to change behavior and increase use of seat belts. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Contact: Susan J. Palmer
Telephone: (612) 296-8512
TTY: (612) 282-6555
Address: Department of Public Safety
Office of Traffic Safety
Suite 100 B, Town Square
444 Cedar Street
St. Paul, Minnesota 55101-2156

Estimated cost of the contract is \$170,000.00. The Department will retain an option to renew the contract for two additional one-year periods. Final date for submitting proposals is Friday, August 4, 1995 by 4:00 PM.

Office of the Revisor of Statutes

Notice of Request for Computer Services

The office of the revisor of statutes is seeking the following computer services for the period ending June 30, 1996:

The continued development of UNIX based data processing programs for drafting, editing, engrossing and publishing laws and administrative rules. The programs must be designed to work in coordination with existing mainframe based programs until the existing programs are fully replaced. For this work, experience with the development and thorough knowledge of the legislature's data processing needs is of the highest value to the Revisor.

Responses must be received by the Revisor by July 21, 1995. Inquiries and responses may be directed to:

Harry M. Walsh
Revisor of Statutes
Office of Revisor of Statutes
700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155
(612) 296-2868
TDD use State Relay Services: METRO MN 297-5353
Greater MN 1-800-627-3529

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Minnesota Historical Society

Notice of Request for Proposals for Cultural Resource Survey and Planning Work

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide professional services for cultural resource survey and planning projects as follows:

1. **Modeling Archaeological Site Locations in Cities, Hastings, Dakota County**
Time Period: 8/1/95 - 7/31/96
2. **Virginia Commercial Historic District, St. Louis County**
Time Period: 8/1/95 - 7/31/96 or 3/1/96 - 11/30/96
3. **Rainey Lake/Oberholtzer Cabin, St. Louis County**
Time Period: 8/1/95 - 7/31/96 or 3/1/96 - 11/30/96
4. **Multiple projects involving survey and National Register nominations** for various individual properties and districts in Cass, Hennepin, Meeker, Nobles, Pennington, Pipestone, Polk, Pope, St. Louis, Steele and Wadena determined eligible to the Register.
Time Period: 8/1/95 - 7/31/96 or 3/1/96 - 11/30/96
5. **Duluth Harbor Survey, Duluth, St. Louis County**
Time Period: 8/1/95 - 7/31/96
Estimated Budget: \$20,000
6. **Logging Camps Multiple Property Documentation Form**
Time Period: 10/1/95 - 7/31/96 or 3/1/96 - 11/30/96
Estimated Budget: \$15,000 - 20,000

A total of approximately \$45,000 is available in federal Historic Preservation Funds (HPF) to award in contracts in the summer of 1995. Pending notice of the 1996 appropriation, additional funds will be available to award in contracts to begin in early 1996. Other sources fund projects for which estimated budgets are given.

The Request for Proposals and Project Descriptions are available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Proposals are due no later than 2 p.m. Central Standard Time, July 18, 1995. Details concerning submission requirements and evaluation criteria for awards are included in the Request for Proposals.

This program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted Programs on the basis of race, color, national origin, age, or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

Index

**Volume 19, Numbers 1-52
July 5, 1994 - June 26, 1995**

**Agency Index
Executive Orders
Revenue Notices
Commissioner's Orders**

TABLE OF CONTENTS	
Agency Index	2527
Executive Orders	2533
Revenue Notices.....	2533
Commissioner's Orders.....	2533

AGENCY INDEX

The following is a list by subject of all rules published in the *State Register*, Volume 19, Issue Numbers 1-52.

ACCOUNTANCY BOARD

Licensing and organization or rules	
Proposed.....	909
Adopted.....	1732
Practice monitoring	
Adopted.....	74

ADMINISTRATION DEPARTMENT

Certified building officials	
Adopted.....	75
Foundations	
Proposed.....	1246

Adopted.....	1735
Manufactured homes	
Proposed.....	1246
Withdrawn.....	1737
Minnesota building code	
Proposed.....	514
Withdrawn.....	551
Adopted.....	1340
Minnesota building code: Accessibility	
Proposed.....	2289
Minnesota uniform mechanical code	
Proposed.....	133
Adopted.....	1306
Payment of recurring costs of emergency 911 telephone systems	
Proposed.....	2113
Plan reviews	
Proposed.....	1246
Adopted.....	1735
Plumbing code	
Adopted.....	590
Public rallies within the state capitol complex	
Opinion sought.....	736

ADMINISTRATIVE HEARINGS OFFICE

Development of rules for the rulemaking procedure
 Opinion sought..... 2443 and 2486

AGRICULTURE DEPARTMENT

Above ground storage of bulk liquid fertilizer
 Opinion sought..... 1587

Agricultural inspectors
 Proposed..... 544
 Withdrawn..... 1163
 Proposed..... 1259

Anhydrous ammonia fertilizer systems
 Opinion sought..... 1860

Draft pesticide management plan
 Opinion sought..... 1861

Fertilizer labeling
 Proposed..... 1692
 Adopted..... 2485

Genetically engineered organisms
 Proposed..... 679
 Withdrawn..... 1311
 Proposed..... 1481

Livestock expansion loan program exempt
 Adopted..... 340

Local implementation of state pesticide and control regulations
 Proposed..... 1758

Poultry and eggs and purified water
 Adopted..... 75

Private applicator and restricted use pesticides displayed for sale
 Opinion sought..... 737

Restricted use pesticide
 Proposed..... 2267
 Opinion sought..... 2488

Rural finance authority value-added agricultural product loan program
 Adopted..... 883

Soil and plant amendment labeling
 Proposed..... 1764
 Adopted..... 2269

Soil testing laboratory certification
 Adopted..... 218

ANIMAL HEALTH BOARD

Animal carcasses
 Opinion sought..... 219

Pseudorabies
 Proposed..... 246
 Adopted..... 925

ARTS BOARD

Agency's procedures for reviewing and distribution of grants, loans and other forms of assistance
 Opinion sought..... 1289

CHIROPRACTIC EXAMINERS BOARD

Advertising, continuing education and definitions
 Proposed..... 2065

Alternative forms of continuing education
 Opinion sought..... 740

Continuing education for full-time faculty
 Opinion sought..... 83

Professional designations
 Proposed..... 109
 Adopted..... 2139

Retired licenses, examinations and advertising
 Adopted..... 734

Temporary licensure and governing rendering of opinions
 Opinion sought..... 2093

COMMERCE DEPARTMENT

Banks
 Opinion sought..... 83

Commercial insurance filing exemptions
 Proposed..... 950
 Adopted..... 1581

Cosmetology salons
 Opinion sought..... 705
 Proposed..... 2161

Credit involuntary unemployment insurance
 Proposed..... 2472

Exempting insurers from certain filing requirements for commercial lines of insurance
 Opinion sought..... 84

Homeowner's insurance coverage and rates
 Opinion sought..... 85

Real estate loans
 Proposed..... 1896

Self-insurance plan administrators
 Proposed..... 952
 Adopted..... 2004

Uniform conveyancing forms
 Adopted..... 689

CRIME VICTIMS REPARATIONS BOARD

Claims procedures and eligibility
 Proposed..... 2354

DENTISTRY BOARD

Administration of nitrous oxide and anesthesia
 Proposed..... 2197
 Withdrawn..... 2332

Continuing dental education
 Proposed..... 2200
 Withdrawn..... 2332

Registered dental assistants
 Proposed..... 2205
 Withdrawn..... 2332

DIETETICS AND NUTRITION PRACTICE BOARD

Licensure
 Proposed..... 2326
 Opinion sought..... 2489

ECONOMIC SECURITY DEPARTMENT

Appeals
 Opinion sought..... 2444 and 2486

Continuing dental education
 Proposed..... 260

Economic security; wages
 Proposed..... 1264

Extended employment program and formation of advisory stakeholder task force
 Opinion sought..... 291
 Adopted..... 639

Faculty and resident dentists
 Proposed..... 265

Registered dental assistants
 Proposed..... 269

Vocational rehabilitation services
 Emergency..... 76
 Opinion sought..... 740

State Register INDEX

EDUCATION DEPARTMENT

Development and content of individual education program plan	
Proposed.....	5
Adopted.....	974
Education diversity	
Opinion sought.....	1372
Graduation standards	
Opinion sought.....	1070
Opinion sought.....	2445 and 2486
Special education rules	
Proposed.....	857
Errata.....	1163
Adopted.....	2432 and 2486

ELECTRICITY BOARD

Continuing education	
Proposed.....	1539
Adopted.....	2221
Continuing professional education for licensed electricians	
Opinion sought.....	190

ENVIRONMENTAL QUALITY BOARD

Environmental review	
Proposed.....	2067

GAMBLING CONTROL BOARD

Bingo	
Opinion sought.....	2492
Distributors and manufacturers	
Proposed.....	1092
Adopted.....	1854
Gambling managers	
Opinion sought.....	1863
Opinion sought.....	2491
Lawful gambling	
Adopted.....	156
Pull-tab dispensing devices	
Proposed.....	1828
Adopted.....	2380
Use of cash register	
Proposed.....	1601
Adopted.....	2222

HEALTH DEPARTMENT

Aggregate group purchaser data	
Proposed.....	316
Adopted.....	1515
Aggregate hospital data	
Proposed.....	370
Adopted.....	1419
Aggregate provider data	
Proposed.....	310
Adopted.....	1581
Asbestos-related work	
Opinion sought.....	1372
Cancer surveillance system	
Opinion sought.....	2249
Clean indoor air act	
Adopted.....	1128
Collection of health care aggregate data from hospitals, providers, and group purchasers	
Opinion sought.....	2250
Dietary and food services for nursing homes	
Adopted.....	1803
Disease reporting; rabies; and local officers and county boards	
Opinion sought.....	86

Disease and syndrome reporting	
Proposed.....	2356
Drinking water revolving fund	
Opinion sought.....	1680
Health; data reporting	
Emergency.....	835
Emergency(adopted).....	1582
Health risk limits	
Opinion sought.....	87
Proposed.....	271
Adopted.....	1191
Health; WIC	
Proposed.....	1607
Adopted.....	2089
Integrated service networks	
Opinion sought.....	488
Ionizing radiation	
Opinion sought.....	1904
Merit system rules for the compensation plan and salary adjustments and increases	
Proposed.....	293
Proposed.....	1394
Adopted.....	2090
Nursing home regulatory reform	
Proposed.....	785
Operation of nursing homes and boarding care homes	
Opinion sought.....	2494
Procedures for exceptions to nursing home bed moratorium	
Proposed.....	2299
Public pools	
Proposed.....	384
Adopted.....	1419
Errata.....	1637
Special supplemental food program for women, infants and children (WIC Program)	
Opinion sought.....	191
Opinion sought.....	1424
Supervised living facilities	
Opinion sought.....	2166
Opinion sought.....	2251
Opinion sought.....	2493
WIC program	
Opinion sought.....	2333

HEALTH LICENSING BOARDS

Infection control by the Board of Chiropractic Examiners, the Board of Dentistry, the Board of Medical Practice, the Board of Nursing, and the Board of Podiatric Medicine	
Proposed.....	2479

HIGHER EDUCATION COORDINATING BOARD

Child care grant program	
Opinion sought.....	119
Emergency.....	285
Proposed.....	579
Adopted.....	1636
Financial assistance	
Proposed.....	152
Adopted.....	1491
Minnesota state postsecondary review program	
Proposed.....	1441
Youth works program	
Opinion sought.....	119
Proposed.....	623
Adopted.....	1636

HOUSING FINANCE AGENCY

Affordable rental investment fund program
 Proposed..... 278
 Adopted..... 1150
 Home ownership assistance fund
 Proposed..... 2412
 Housing finance; capital contribution of investors; certain loan programs; clarification and updates
 Proposed..... 1304
 Purchase and rehabilitation or refinance and rehabilitation mortgage loans
 Adopted..... 157

HUMAN RIGHTS DEPARTMENT

Marketing of housing developed with state or local government assistance
 Opinion sought..... 1972

HUMAN SERVICES

Administration and provision of foster care services to children and their families
 Opinion sought..... 2449 and 2486
 Chemical dependency care for public assistance recipients
 Opinion sought..... 2252
 Opinion sought..... 2505
 Children in need of protection
 Opinion sought..... 1741
 Conditions for medical assistance and general assistance medical care payment
 Proposed..... 2027
 Opinion sought..... 2335
 Adopted..... 2433
 Diagnostic related group classification
 Adopted..... 1191
 Eligibility for medical assistance
 Opinion sought..... 891
 Opinion sought..... 1638
 Opinion sought..... 2450 and 2486
 Eyeglass services under medical assistance
 Proposed..... 478
 Adopted..... 2004
 Homemaking services
 Opinion sought..... 1524
 Opinion sought..... 2450 and 2486
 Licensure of detoxification programs
 Opinion sought..... 2253
 Licensure of medical assistance personal care providers
 Opinion sought..... 1313
 Licensure of residential treatment programs for children with severe emotional disturbance
 Proposed..... 1924
 Maximum therapeutic leave days for mentally retarded residents in Intermediate Care Facilities
 Opinion sought..... 348
 Medical assistance payment for therapeutic support and medical assistance payment for wraparound services
 Opinion sought..... 2452 and 2486
 Merit system rules for the compensation plan and salary adjustments and increases
 Proposed..... 293
 Proposed..... 1397
 Adopted..... 2090
 MinnesotaCare
 Proposed..... 627

Adopted..... 1286
 Proposed..... 1945
 Operation, maintenance, and licensure of program to be established at the Minnesota Sexual Psychopathic Personality Treatment Center
 Opinion sought..... 2451 and 2486
 Permitting extended therapeutic leave days
 Proposed..... 687
 Adopted..... 1227
 Protective services for children
 Opinion sought..... 1639
 Opinion sought..... 2506
 Removal of children in need of protection
 Opinion sought..... 2452 and 2486
 Surveillance and integrity review program
 Proposed..... 721
 Adopted..... 1898

INDIAN AFFAIRS COUNCIL

Business loans to Indians
 Adopted..... 974

LABOR AND INDUSTRY DEPARTMENT

Boiler and power boats
 Adopted..... 591
 Opinion sought..... 1525
 Opinion sought..... 1780
 Medical services and supplies
 Opinion sought..... 1742
 Occupational safety and health; reporting
 Proposed..... 185
 Adopted..... 1150
 OSHA; federal standards
 Adopted..... 187
 OSHA; incorporation by reference
 Proposed..... 280
 Proposed..... 881
 Adopted..... 887
 Adopted..... 1459
 Proposed..... 1489
 Adopted..... 1900
 Proposed..... 2031
 Prevailing wage; job classifications
 Adopted..... 482
 Proposed..... 1998
 Workers' compensation; treatment parameters
 Adopted..... 1412

MEDICAL PRACTICE BOARD

Continuing education
 Proposed..... 110
 Adopted..... 974
 Emeritus registration
 Proposed..... 113
 Adopted..... 974
 Fees
 Adopted..... 765

NATURAL RESOURCES DEPARTMENT

Aquatic nuisance control
 Opinion sought..... 840
 Carriage of personal flotation devices aboard watercraft
 Opinion sought..... 295
 Closing waters to the taking of fish
 Emergency..... 1736

State Register INDEX

Construction and operation of a quarantine facility for fish eggs Opinion sought.....	841	Waters and watercraft speed limit zones on the Lower St. Croix River Opinion sought.....	743
Ecologically harmful exotic species and infested waters Opinion sought.....	931	NURSING BOARD	
Experimental fishing regulations		Clinical specialist prescribing authority	
Adopted.....	1517	Proposed.....	1452
Adopted.....	2090	Adopted.....	2223
Fishing seasons for largemouth and smallmouth bass		Registration renewal fees	
Opinion sought.....	2121	Proposed.....	213
Fish and wildlife stamp design contests		Adopted.....	1131
Proposed.....	409	OPTOMETRY BOARD	
Adopted.....	974	Fee changes	
Game and fish		Adopted.....	734
Proposed.....	6	PEACE OFFICER STANDARDS AND TRAINING BOARD (POST)	
Adopted.....	484	Violations of standards of conduct and disciplinary actions for	
Proposed.....	1702	violations of administrative rules	
Adopted.....	2222	Proposed.....	2000
Game and fish rules; changes in bear quota areas and 1995 bear quotas		PETROLEUM TANK RELEASE COMPENSATION BOARD	
Emergency(adopted).....	2115	Petroleum tank releases	
Game and fish rules; Camp Ripley archery quota and early goose seasons		Proposed.....	1265
Emergency(adopted).....	454	PODIATRIC MEDICINE BOARD	
Game and fish rules; deer hunting regulations		Miscellaneous amendments	
Adopted.....	644	Proposed.....	1798
Game and fish rules; Fergus Falls/Alexandria goose zone		POLLUTION CONTROL AGENCY	
Emergency.....	1132	Adopting miscellaneous required federal regulations on hazardous waste	
Game and fish rules; game refuges		Opinion sought.....	2454 and 2486
Emergency.....	595	Adoption of federal regulations	
Game and fish rules; moose season, zone changes, and 1994 quotas		Proposed.....	2212
Emergency(adopted).....	158	Air emission permits and monitoring and testing requirements	
Emergency(adopted).....	2435	Opinion sought.....	556
Games and fish rules; fall turkey season and quotas		Opinion sought.....	1074
Emergency(adopted).....	161	Air Quality: notification and emission inventory, monitoring and testing, and air emission permit fees and registration permit requirements	
Emergency(adopted).....	2442	Opinion sought.....	349
Game and fish rules; special provisions for wildlife management areas; taking of ducks, coots, moorhens, geese and brant		Ambient air quality standards	
Emergency.....	701	Adopted.....	550
Game and fish rules; 1995 spring turkey quotas and season changes		Amendments for reference materials, testing methodology and hazardous waste constituents	
Emergency(adopted).....	1518	Opinion sought.....	2455 and 2486
Game and fish rules; taking of ruffed grouse, spruce grouse, and pheasants		Animal feedlots	
Emergency.....	1228	Opinion sought.....	2168
Game and fish rules; waters closed to taking fish		Asphalt concrete plants	
Emergency.....	1736	Opinion sought.....	769
Adopted.....	2091	Clean water partnership program	
Leases for selected industrial minerals		Proposed.....	2414
Proposed.....	953	Coal ash utilization	
Adopted.....	2433	Opinion sought.....	169
Leasing of state lands for metallic minerals		Compost facilities	
Proposed.....	1615	Opinion sought.....	2095
Adopted.....	2434	Control equipment	
Personal flotation devices		Proposed.....	44
Proposed.....	2207	Adopted.....	1345
Quarantine facilities for fertilized fish eggs		Opinion sought.....	1640
Proposed.....	2084	Corrective action management units and temporary units	
Adopted.....	2486	Opinion sought.....	1588
Rehabilitation permits for wild animals		Proposed.....	2215
Opinion sought.....	1430	Enhanced monitoring evidence	
Various game and fish matters		Proposed.....	967
Opinion sought.....	168	Adopted.....	1775
Waters, watercraft speed limit zones		Federal acid rain program requirements	
Proposed.....	2210	Adopted.....	1666

Financial assurance for persons who manage solid waste in an environmentally inferior manner		Adopted.....	2090
Proposed.....	1180	Motor vehicle dealers	
General conformity of federal actions to state or federal implementation plans		Adopted.....	157
Opinion sought.....	492	Public school driver training courses	
Implementing a new law requiring persons who arrange for management of solid waste in an environmentally inferior manner to indemnify generators of the waste		Proposed.....	1410
Opinion sought.....	492	Adopted.....	1965
Incorporation of federal acid rain program requirements		School bus operations	
Proposed.....	585	Opinion sought.....	1495
Individual septic tank systems		School bus safety	
Proposed.....	412	Proposed.....	2362
Individual sewage treatment systems and a licensing program for persons that install and maintain individual sewage treatment systems		State emergency response commission due date on certain fees	
Opinion sought.....	557	Proposed.....	637
Opinion sought.....	1375	Adopted.....	1637
Landfill gas emissions from municipal solid waste landfills		Telephone call-tracing services	
Opinion sought.....	1463	Adopted.....	1518
National emission standards for hazardous air pollutants for source categories		Vision requirements for driver's license applicants	
Opinion sought.....	2226	Opinion sought.....	2508
Procedural rules		PUBLIC SERVICE DEPARTMENT	
Proposed.....	323	Weights and measures	
Adopted.....	1310	Withdrawn.....	1775
Selected portions of solid waste management rules and solid waste facility operator/inspector		Proposed.....	1841
Opinion sought.....	2274	PUBLIC UTILITIES COMMISSION	
Service and disposal of appliances and motor vehicle air conditioners		Customer information and complaints	
Proposed.....	1406	Opinion sought.....	2172
Adopted.....	2223	Local telecommunications services in a competitive environment	
Solid waste management recycling		Opinion sought.....	1782
Proposed.....	1124	Practice and procedure.....	116
Adopted.....	2330	Premature notice of adoption of rules of practice and procedure	
Standard industrial classification (SIC) code range		Errata.....	79
Proposed.....	588	Resource planning process	
Adopted.....	1666	Opinion sought.....	1641
State clean water partnership program		RACING COMMISSION	
Opinion sought.....	1526	Pari-mutuel horse racing	
Storm water permits		Proposed.....	1952
Proposed.....	969	Regulation of racetrack and racing licensure, racing days and pari-mutuel pools, occupational licensure, steward accreditation, direct deposit (payment of unredeemed tickets), cost recovery, prohibited acts	
Adopted.....	1901	Opinion sought.....	194
Used oil and miscellaneous amendments		REVENUE DEPARTMENT	
Proposed.....	1542	Capital equipment and/or replacement capital equipment	
PUBLIC SAFETY DEPARTMENT		Opinion sought.....	172
Deputy registrars		Lawful gambling-annual audit and financial review of licensed organizations	
Opinion sought.....	2508	Opinion sought.....	172
Design of the uniform dangerous dog tag		Sales tax; capital equipment	
Opinion sought.....	170	Proposed.....	2366
Proposed.....	548	SECRETARY OF STATE OFFICE	
Adopted.....	1227	Agricultural production input liens	
Firearms permit standards		Opinion sought.....	194
Adopted.....	1151	Proposed.....	1659
Hazardous materials incident response plan and system		Adopted.....	2163
Adopted.....	450	Ballot form	
Medical examination certificates of school bus drivers		Adopted.....	593
Adopted.....	1131	STATE BOARD OF EDUCATION	
Merit system rules for the compensation plan and salary adjustments and increases		Desegregation/integration	
Proposed.....	293	Opinion sought.....	1902
Proposed.....	1403	Effective date of special education rules.....	2432 and 2486
		STATE RETIREMENT SYSTEM	
		Deferred compensation amendments	
		Adopted.....	1158

State Register INDEX

TELECOMMUNICATIONS ACCESS TO			
COMMUNICATION-IMPAIRED PERSONS BOARD			
Eligibility for telecommunications services			
Adopted.....	1666		
TRADE AND ECONOMIC DEVELOPMENT			
Contaminated cleanup grant program			
Proposed.....	114		
Adopted.....	765		
Drinking water revolving fund			
Opinion sought.....	1680		
Once-through cooling conversion loan program			
Proposed.....	153		
Adopted.....	1227		
Public transit operating and nonoperating assistance			
Opinion sought.....	350		
Tourism loan program			
Proposed.....	214		
Adopted.....	887		
Urban challenge grant program			
Adopted.....	284		
TRANSPORTATION DEPARTMENT			
Minimum energy efficiency standards for street, highway, and parking lot lighting			
Proposed.....	1188		
Adopted.....	1965		
Modifying state-aid operations			
Opinion sought.....	195		
Requirements for subcontracting to targeted group businesses on state-aid contracts			
Withdrawn.....	290		
		Selection methods and criteria for off right-of-way advertising directional signs	
		Opinion sought.....	1468
		Standards for mailbox installation and supports	
		Adopted.....	344
		VETERANS HOME BOARD	
		Admission, continuing stay criteria, maintenance charges, and discharge procedures	
		Opinion sought.....	1589
		VETERINARY MEDICINE BOARD	
		Licensure and practice	
		Proposed.....	2375
		Veterinary license fees	
		Proposed.....	2243
		WATER & SOIL RESOURCES BOARD	
		Comprehensive local water planning	
		Proposed.....	819
		Determination of water law and policy	
		Opinion sought.....	938
		Reinvest in Minnesota conservation reserve and permanent wetlands preserve programs.....	550
		Watershed district rules, permit decisions, and orders not involving projects	
		Opinion sought.....	938
		WORKERS' COMPENSATION COURT OF APPEALS	
		Workers' Compensation Court of Appeals; rules of procedures	
		Adopted.....	1131

EXECUTIVE ORDERS

Order	Title	Page
94-3	Providing for personnel and equipment for the Prairie Island Nuclear Power Plant drill and exercise.....	80
94-4	Establishing the Governor's Ombudsman Committee for Mental Health and Mental Retardation	80
94-5	Providing for assistance to officials in Becker County	162
94-6	Providing for assistance to officials in St. Paul, Minn	656
94-7	Providing for the establishment of the Governor's Task Force on Glass Ceiling.....	735
94-8	Providing for assistance to officials in Jackson County	1371
94-9	Providing the commissioner of transportation with the authority to cooperate and act as agent in receiving federal funds under the intermodal surface transportation efficiency act of 1991	1492
95-1	Providing for personnel and equipment for the Monticello Nuclear Power Plant drill and exercise.....	2035
95-2	Providing for assistance to officials in Nobels and Murray Counties, Minnesota	2140
95-3	Directing state agencies to reduce fiscal year 1995 spending	2164

REVENUE NOTICES

Order	Title	Page
94-15	Solid waste assessment-audit, penalty, enforcement, and administrative provisions	163
94-16	Used farm machinery	164
94-16	Sales tax; used farm machinery.....	219
94-17	Corporate franchise tax; foreign operating corporation (FOC) factors	290
94-18	MinnesotaCare: Employee Assistance Programs.....	456
94-19	Special taxes - discounts and coupons in relation to bingo gross receipts	485
94-20	MinnesotaCare - industrial/organizational psychologists	485
94-21	Special taxes - waste collectors; collection and remittance of solid waste assessment.....	486
94-22	Tax exempt entities - Grounds for revocation of 501(c)(3) status under Minnesota laws	552
94-23	Sales and use tax - residential electricity.....	766
94-24	Income tax - 1993 Depreciation Modification	888
94-25	Sales tax on motor vehicles-rebates	1164
94-25	Revocation of sales tax on motor vehicles-rebates	1229
95-1	Sales and Use Tax - fire damage cleaning services.....	1493
95-2	Lawful gambling tax: refund on defective pull-tabs or tipboards	2005
95-3	Disclosure: treatment of public sales tax returns.....	2039
95-4	Sales tax: penalty for operators of flea markets and similar events	2443

COMMISSIONERS' ORDERS

TRANSPORTATION

Order	Title	Page
80246	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed	163
80580	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed	1164
80748	Amended uniform traffic control devices manual.....	1521
80861	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed	1966
80878	Amended Uniform Traffic Control Devices Manual	2091
80881	Amended Order and notice of street and highway routes designated and permitted to carry the gross weights allowed	2092
81000	Amended order and notice of street and highway routes designated and permitted to carry the gross weights allowed	2308

AGRICULTURE

	Proposed best management standards for date of dogs and cats by dealers, commercial breeders and brokers	1583
	Best management standards of care of dogs and cats by dealers, commercial breeders and brokers pursuant to 1994 Minnesota Laws	2036

Minnesota Rules

NOTICE: How to Follow State Agency Rulemaking in the *State Register*

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process.

Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. This is a multi-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules.

Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but they are published in the *State Register*.

If an agency seeks outside opinions before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the Official Notices section of the *State Register*. When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of non-controversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period and have been rewritten into their final form, they again appear in the *State Register* as Adopted Rules. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services* available from Minnesota's Bookstore, call 297-3000 to order.

The *State Register* also features a partial and cumulative listing of rules. Each issue contains an inclusive list of rules appearing since the last quarter. At each quarter a cumulative list is published that covers rules that appeared from the beginning of the volume. The last regular issue of the *State Register* contains a complete cumulative index of rule numbers that appeared in that volume during the past year.

STATE REGISTER Production Schedule:
FY-6: July 3, 1995 - June 24, 1996

DEADLINE for all other submissions: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-state Bids and Public Contracts

Volume #:	PUBLICATION DATE	DEADLINE for Proposed and Adopted Rules	DEADLINE for all other submissions: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-state Bids and Public Contracts
Vol. 19 52	Monday 26 June 1995	Monday 12 June 1995	Monday 19 June 1995
Vol. 20 1	Monday 3 July	Monday 19 June	Monday 26 June
2	Monday 10 July	Monday 26 June	Monday 3 July
3	Monday 17 July	Monday 3 July	Monday 10 July
4	Monday 24 July	Monday 10 July	Monday 17 July
5	Monday 31 July	Monday 17 July	Monday 24 July
6	Monday 7 August	Monday 24 July	Monday 31 July
7	Monday 14 August	Monday 31 July	Monday 7 August
8	Monday 21 August	Monday 7 August	Monday 14 August
9	Monday 28 August	Monday 14 August	Monday 21 August
** 10	Tuesday 5 September	Monday 21 August	Monday 28 August
** 11	Monday 11 September	Monday 28 August	Friday 1 September
** 12	Monday 18 September	Friday 1 September	Monday 11 September
13	Monday 25 September	Monday 11 September	Monday 18 September
14	Monday 2 October	Monday 18 September	Monday 25 September
15	Monday 9 October	Monday 25 September	Monday 2 October
16	Monday 16 October	Monday 2 October	Monday 9 October
17	Monday 23 October	Monday 9 October	Monday 16 October
18	Monday 30 October	Monday 16 October	Monday 24 October
19	Monday 6 November	Monday 24 October	Monday 30 October
20	Monday 13 November	Monday 30 October	Monday 6 November
21	Monday 20 November	Monday 6 November	Monday 13 November
** 22	Monday 27 November	Monday 13 November	Friday 17 November
** 23	Monday 4 December	Friday 17 November	Monday 27 November
24	Monday 11 December	Monday 27 November	Monday 4 December
25	Monday 18 December	Monday 4 December	Monday 11 December
** 26	Tuesday 26 December	Monday 11 December	Friday 22 December
** 1996 27	Tuesday 2 January 1996	Monday 18 December	Friday 22 December
** 28	Monday 8 January	Friday 22 December	Friday 29 December
** 29	Tuesday 16 January	Friday 29 December	Monday 8 January 1996
** 30	Monday 22 January	Monday 8 January 1996	Friday 12 January
** 31	Monday 29 January	Friday 12 January	Monday 22 January
32	Monday 5 February	Monday 22 January	Monday 29 January
33	Monday 12 February	Monday 29 January	Monday 5 February
** 34	Tuesday 20 February	Monday 5 February	Monday 12 February
** 35	Monday 26 February	Monday 12 February	Friday 16 February
** 36	Monday 4 March	Friday 16 February	Monday 26 February
37	Monday 11 March	Monday 26 February	Monday 4 March
38	Monday 18 March	Monday 4 March	Monday 11 March
39	Monday 25 March	Monday 11 March	Monday 18 March
40	Monday 1 April	Monday 18 March	Monday 25 March
41	Monday 8 April	Monday 25 March	Monday 1 April
42	Monday 15 April	Monday 1 April	Monday 8 April
43	Monday 22 April	Monday 8 April	Monday 15 April
44	Monday 29 April	Monday 15 April	Monday 22 April
45	Monday 6 May	Monday 22 April	Monday 29 April
46	Monday 13 May	Monday 29 April	Monday 6 May
47	Monday 20 May	Monday 6 May	Monday 13 May
** 48	Tuesday 28 May	Monday 13 May	Monday 20 May
** 49	Monday 3 June	Monday 20 May	Friday 24 May
** 50	Monday 10 June	Friday 24 May	Monday 3 June
51	Monday 17 June	Monday 3 June	Monday 10 June
52	Monday 24 June	Monday 10 June	Monday 17 June
Vol. 21, # 1	Monday 1 July (FY-7)	Monday 17 June	Monday 24 June
# 2	Monday 8 July	Monday 24 June	Monday 1 July
# 3	Monday 15 July	Monday 1 July	Monday 8 July

BILLING RATES:

Rates approved by the Minnesota Dept. of Finance for fiscal year 1996: FY-6 (July 1, 1995 - June 30, 1996) are \$80.00 per page, with pages divided into and billed by tenths of a page at \$8.00. Two and a half pages of double-spaced, type-written copy on 8-1/2" x 11" paper equals one printed page in the *State Register*; Two pages on text submitted on legal-sized paper, 8-1/2" x 14" equals one printed page in the *State Register*.

** Issues affected by holidays. A schedule in four-week increments is printed on the inside front cover of each Monday *State Register*. Questions - call 612/297-7963.

